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# King, Parliament and Army

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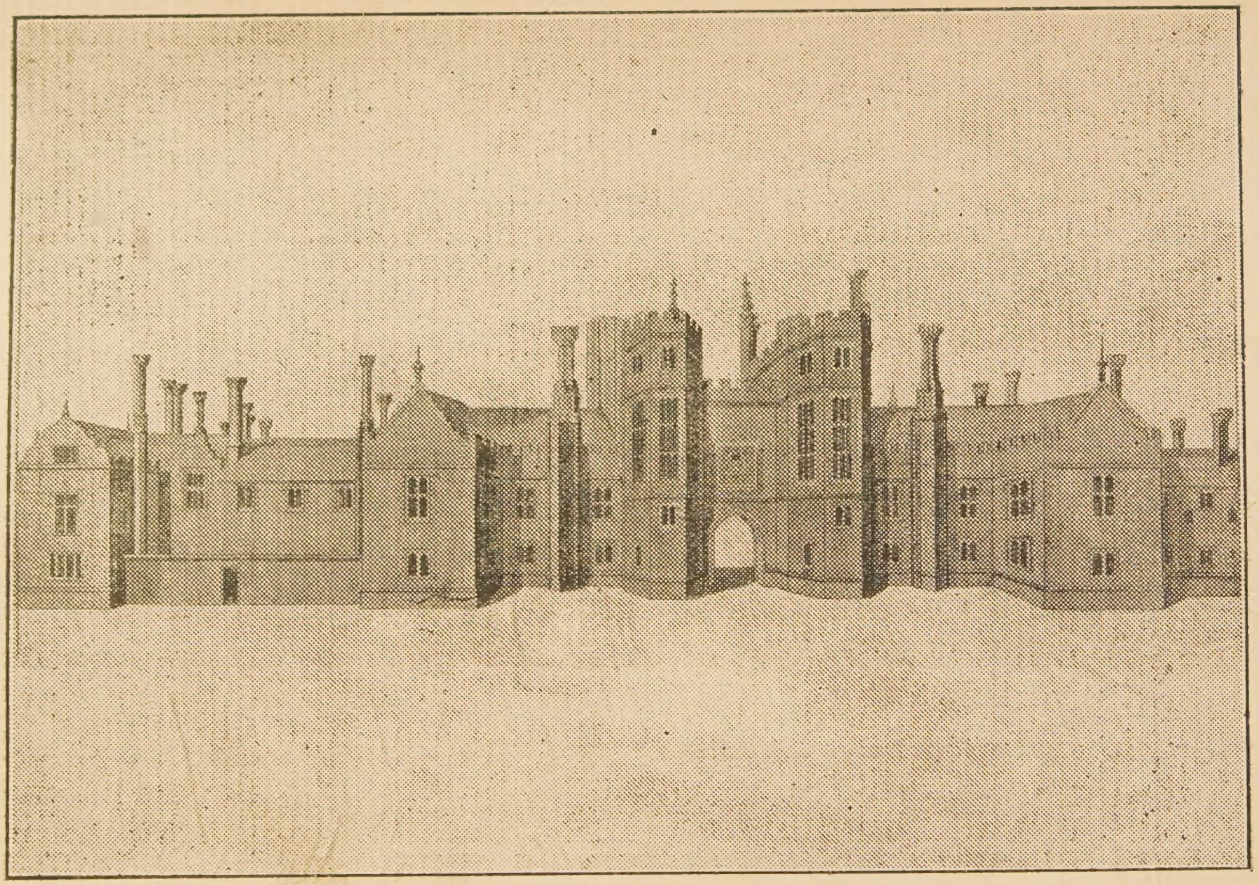

*A view of the Palace of Beaulieu, commonly called New Hall, in Essex.*

# KING, PARLIAMENT AND ARMY

MORE PARTICULARS RELATING TO THAT HONOURABLE
THOUGH UNFORTUNATE EXPEDITION OF KENT
ESSEX AND COLCHESTER, IN 1648, AS
NARRATED BY MATTHEW CARTER
QUARTER-MASTER-GENERAL

ENLARGED BY

W. HOWARD-FLANDERS
OF THE MIDDLE TEMPLE AND THE SOUTH EASTERN CIRCUIT
MEMBER OF THE SOCIOLOGICAL SOCIETY OF GREAT BRITAIN
AND OF THE ESSEX ARCHÆOLOGICAL SOCIETY

LONDON
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*Printed at the Motley Press, Amsterdam.*

# Preface

A FEW words are always expected from an author of a work like this; in giving them I would content myself with saying that the study of the middle part of the seventeenth century has occupied my attention for many years—endeavouring to place persons and events in their due perspective, and taking many pains to verify my statements. It may be that there are some errors in spite of this, for which I crave the reader's indulgence.

I would also take this opportunity to express my indebtedness to the following authorities:

*History of the Great Rebellion*, Lord CLARENDON.
*Oliver Cromwell and his Times*, THOMAS CROMWELL.
*Oliver Cromwell; a History*, HARDEN CHURCH.
*Oliver Cromwell*, ALLISON PICTON.
„ „ F. HARRISON.
*Cromwell's Place in History*, S. R. GARDINER.
*History of the English Parliament*, Dr. BARNETT SMITH.
*Social England*, Dr. TRAILL.
*London and the Kingdom*, Dr. REGINALD SHARP.
*History of the British Navy*, LAYARD CLOWES.
*Historic Towns: Colchester*, Rev. E. CUTTS.

*Siege of Colchester*, Rev. Tyler Townsend.
*A true relation of that honourable expedition of Kent, Essex and Colchester in 1648*, Matthew Carter.
*History of England*, Hume.
" " " Ranke.
" " " Goodwin.
*Shorter History of England*, Green.
*English Revolution*, Guizot.
Calendars:
*Domestic State Papers.*
*Compositions and Fines.*
*Clarendon State Papers.*
*Report of the Historical MSS. Commission and Dictionary of National Biography.*

W. Howard-Flanders.

Tyle Hall,
Latchingdon,
Essex.

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# Errata

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# King, Parliament and Army

## BOOK I

### A FUGITIVE KING

1. *June 14th 1645* "Sir, this is none other than the hand of God, and to Him alone belongs the glory, wherein none are to share it with Him."

* * *

"The General" (Fairfax) "served you with faithfulness and honour. . . .

"Honest men served you faithfully in this action. Sir, they are trustworthy; I beseech you, in the name of God, not to discourage them. *He that ventures his life for the liberty of his country, I wish he trusts God for the liberty of his conscience and you for the liberty he fights for.*"*

It is in these words that the great Independent Lieutenant-General announces the victory of Naseby to a House of Commons, largely Presbyterian. It is noteworthy that in the lines written in italics

* Carlyle, "Life and Letters of Cromwell."

and which were omitted in the copy printed by the House of Commons, but retained by the House of Lords, he warned them of a source of great danger; the neglect of those by whom the independence of Parliament had been preserved. Had his advice been taken, had the Army been treated in justness of spirit, the events we are about to relate would not have happened.

In refusing to grant the toleration set forth by the vote of September 1644, they embroiled the country in three years of uncertainty and a second war. In answer to this, the Committee of both Kingdoms wrote to Fairfax:

*June 15th* "We have received the advertisement of the great blessing that God has given to your endeavours in so full and signal a victory against the enemy, and desire with you to give God praise for all. We return you thanks for your great resolution and good conduct, and desire you to give thanks in our name to all officers for their resolved and gallant deportment. We have taken consideration of what you write of giving tickets to the soldiers for the horses taken that they may be preserved for the service. We give you thanks for that providence and have resolved to report it to the House" (of Commons) "that money may be provided for those horses. We know that we shall need to say nothing to you to make

what improvement you can of this great victory, which if effectually followed" (up) "we hope may have influence towards the finishing of the war."

2. *June 19th* On the receipt of the news of the Victory of Naseby, the city of London was almost beside itself with joy. The citizens invited both Houses of Parliament to a thanksgiving service at Christ Church, Newgate, followed by a banquet at the "Grocer's Hall." This building proved to be too small for such an assembly, so the Common Council were sent to dine alone at the Mercers' Hall. After the feast, the XLII. Psalm was sung in the metrical Scots version which, as it may be unfamiliar to the Southron reader, we give in full—

I.

God is our refuge and our strength, in straights a present aid;
Therefore, although the earth removed be, we will not be afraid.
Though hills amidst the sea be cast though waters roaring make,
And troubled be, yea, though the hills by swelling seas do shake
A river is, where streams do glad the city of our God.

The Holy Place, wherein our Lord most high
hath His abode
God in the midst of her doth well, nothing
shall her remove
The Lord to her a helper will, and that right
early, prove.

II.

The heathen raged tumultuously, the kingdoms
moved were
The Lord God uttereth His voice, the earth
did quake with fear.
The Lord of Hosts, upon our side, did con-
stantly remain
The God of Jacob's our refuge, us safely to
maintain.

III.

Come and behold what wondrous work hath of
the Lord been wrought;
Come, see what desolation, He on the earth
hath brought.
Unto the ends of all the earth, wars into peace
He turns:
The bow He breaks, the spear He cuts, in fire
the chariot burns.

IV.

Be still, and know that I am God; among the
heathen, I

Will be exalted. I on earth will be exalted high;
Our God, He is the Lord of Hosts, is still upon our side;
For God of Jacob our refuge for ever will abide.

3. As is generally the case in great victories, the sides at Naseby fight were unequally matched. General Fairfax had under his command something like 14,000; Charles had only 7,500. While the victorious army had some of the finest cavalry the world ever saw, it is only fair to add that among its ranks were a considerable number of raw recruits. Still, in the wholesale capture of men and material, it somewhat resembled Sedan. Without going into details as to the fight itself we will look at the loss to the Royalists. Among the slain were twenty colonels, knights and officers of note; eight lieutenant-colonels, eighteen majors, seventy captains, two hundred ensigns and inferior officers; while seven hundred privates were left on the field; and three hundred were slain in the rout; the Parliament losses were represented as about 350. Besides this, the loss among the non-combatants was heavy, embracing fourteen of the King's servants, four footmen, a few "ladies of quality" (officers' wives), a few English women (soldiers' wives) and a hundred Irish women "not of quality," tattery camp-followers, with evil countenances, armed with "skean knives a foot long,

which they knew well how to use in finishing off the wounded soldiers before plundering them," were slain; their faces being gashed with knives to make them hideous in death. So intolerant were the soldiers of the New Model of vice. It may be asked, Why this severity? We find the answer in the pages of Sprigg—

> "That night" (before Naseby) "we came to Gilling, the country people much rejoicing at our coming, having been miserably plundered and having their children taken away and sold before their eyes to the Irish of that" (the King's) "army, whom the parents were compelled to redeem with the price of money."

*D. S. P. June 15th* In addition to the slain, five thousand persons (among whom were the leaders of experience, most invaluable should the King have raised another army,) were secured: the whole train of artillery, including twelve field-guns, two demi-canon (24 pounders, 10 feet long) two demi-culverins (12 pounders, 12—15 feet long) and the rest sacres; eight thousand stand of arms, forty barrels of powder; the King's own standard, and those of the Duke of York and the Queen; six colours of the engaged regiments and nearly one hundred others, both of horse and foot; two thousand horses of various descriptions and two hundred carriages, including baggage and

train waggons and that of the King himself, with his correspondence.

4. These Naseby papers as they are called damaged Charles as much as his defeat. Parliament has been severely criticised for having published them; Fairfax thought they should be treated as private letters; Cromwell and Ireton looked upon them as state papers, as they treated of peace and war; and Charles' statecraft curiously mingled the Husband with the King. In them, he spoke of the Parliament's general as the "rebels' new brutal general"; assured the Queen that he would never acknowledge the legality of Parliament and that he looked forward to prosecuting the war with the help of the Irish Catholics and ten thousand men to be raised by the King of France, the Duke of Lorraine and other princes. In the same spirit was a treaty entered into between Lord Glamorgan and the Supreme (Catholic) Council of Ireland, discovered in the carriage of the Bishop of Tuam (killed Oct. 17, 1645), by which the Irish Catholics were promised the repeal of the penal laws, the appointment of a Roman Catholic lord-lieutenant, the recognition of their religion, the foundation of a catholic university and the enjoyment of such church lands as they might still possess. Should he be successful in restoring Charles to the throne, he was to enjoy the office (if not the name) of the Lord High Constable, having the command of the Fleet and

of the Army as generalissimo. To enable him to meet the great expenses connected with such an enterprise, he was to be at liberty to contract with any one in England, Ireland and Wales in respect to the rights of wardships, customs, revenues of the woods and forests and other crown resources; to grant patents for dignities under that of a marquis; to receive for himself that of Duke of Somerset, the Garter, and the hand of the Princess Elizabeth with a dower of £30,000.

5. Peace was yet a long way off. There were too many parties in the State to make any attempt at accommodation easy. Of course England was roughly divided into Royalists and Parliamentarians, one anxious to see the King supreme, the other to see Parliament the predominant partner in the State; but there were various other details which played their part. The first were mostly episcopalians, leaning towards Whitehall or Rome as the case might be; some wished the King to abdicate in favour of the Prince of Wales or the Duke of York. In the Parliament ranks were still wider divergences of opinion—Presbyterians and Independents; pure legalists and upholders of the *force majeure;* the latter largely composed of the independents of the Army, till lately commanded by Presbyterians, who maintained that authority was established (and was only to be tolerated) for the maintenance of public order and, therefore, all kings, lords and magistrates were invested with

power merely so far as was necessary to attain that end, being answerable for their private, as well as administrative acts; the King being so much the more so as he was the chief magistrate. As he had been defeated, they claimed to have the power of making what terms they pleased with him. By the time the war was over, they were divided into two groups: the moderate men following Fairfax and Cromwell, and the extreme republicans (known afterwards as Levellers) who demanded a greater amount of political liberty than has ever been enjoyed in England. But, as yet, there was no idea of setting up a republican form of government; the civil war having been fought on the principle of compelling the King to act in harmony with Parliament, and of opposing personal rulers of the stamp of Buckingham, Strafford and Laud, rather than of deposing the sovereign.

6. In the fierce light of party conflict, the figure of Cromwell looms large. The head of neither Parliament nor Army, he probably had the largest share in the events that crowded the canvas of the period. After the second battle of Newbury, the Lieutenant-General Cromwell had some sharp words with Lord Manchester, who had ordered him to proceed to a rendezvous of horse. "If your lordship wishes to get the skins of the horses, this is the right way to get them."

At another time, he spoke to his commander:

"There will be no good time for England till we have done with the lords."

*Whitelock I. 343 Nov. 1664* Seeing that Cromwell was against his dilatory action in not following up his victories, Essex invited Whitelock, Stapleton, Denzell Holles, Maynard and the Scots Commissioners to his house. At the instigation of Lord Chancellor Loudon who said that Cromwell was a friend neither to the Scots (from whose honour he was never weary of detracting) nor to Lord Essex, they all agreed it would be as well to accuse him of these matters before Parliament; but thought that he would be too powerful to be the victim of a successful impeachment unless they could produce an absolute proof. When Cromwell heard of this, he was determined to crush his adversaries. Seeing that those in command were too over-burdened with a cargo of limited ideas, estates and anxieties to wish to defeat the King thoroughly, he obtained the Self-denying Ordi-

*April 13th 1645* nance," by which no member of either house should hold any command or place of authority, military, naval or civil. Essex withdrew on receiving the ironical thanks of the House and a pension, which he did not live to enjoy long; Manchester, Warwick, Denbigh, Waller and Brereton, all Presbyterians, also resigned, while Skippon was only retained to please the city, and Cromwell himself escaped sharing this fate by his name not being mentioned, as he was on his way

to the siege of Taunton. Being ordered to resume his place in the House, Fairfax retained his release from this order in order to aid him to select officers to take the place of those who had been obliged to resign, and he was permitted to retain his command by votes of the House for periods of three, four and six months; practically he retained it to the close of the civil war, with the rank of lieutenant-general, carrying with it the the command of the cavalry under Lord-General Fairfax. He was not amassing that enormous wealth with which he is credited; he had inherited considerable means, and Parliament owed him £1,500* for arrears of pay under Lord Manchester; besides two years' salary as Governor of the Isle of Ely. After the resignation of the Presbyterian officers, little or no notice was taken of the Self-denying Ordinance, and many officers, subsequently elected to Parliament, followed Cromwell with unswerving fidelity. Among these were Ireton, zealous and intelligent; Lambert, vain, ambitious and brilliant; Harrison, always seeking after righteousness; Hammond, under a personal obligation to Cromwell, who had assisted him to a prosperous marriage; and Pride, Rainsborow and others, who adhered to him as a man of superiority and true worth; unlike most of these he never was a republican, but clung to the idea of

* Taking the currency at about five times its present value, this represents about £7,500.

a restoration of the King under a limited form of monarchy to the very last. The result of the Self-denying Ordinance was the creation of the New Model Army of 21,000 men; the finest troops the world ever saw, to whom the victories at Naseby, Dunbar and Worcester were due.

7. The battle of Naseby crippled the Royalists as a fighting power. A system of allowing them to compound for their lives and estates still further disabled them. This was not a new idea. As far back as the time of Elizabeth recusants had been allowed to compound for the enjoyment of their religion. This was adopted by the Parliament, who decreed that the estates of all bishops, and others, who had born arms against Parliament or contributed thereto should be sequestrated for Parliament uses. When Charles assembled his Parliament at Oxford, the Parliament at Westminster, thinking to alienate some of the weaker and more wealthy royalists, offered pardon to those who would withdraw and pay a fine towards the discharge of the public debts. Thirteen availed themselves of this offer, and were mulcted of two years' income. Money being urgently needed to pay the Scots and other auxiliary forces, several M.P's., including Cromwell, waited upon the Lord Mayor, with the result that the Committee of the Court of Common Council appointed for raising loans was directed to divide itself into two standing

*1643*

*June 30th 1644*

committees; one to retain its purely financial function; the other to act jointly with a Parliament committee, known as that "for Scots affairs for raising money for our brethren in Scotland, whose duty was to raise funds for the Army under Lord-General Fairfax." The latter promulgated a scheme for raising a loan upon the security of the excise and episcopal lands (advowsons being omitted), taking their name from the Grocers' Hall, where they met as being more convenient than that of the Mercers. At first their special functions were to receive tenders for money and to deal with delinquents (after they had been so found by competent authorities); afterwards, they were invested with judicial powers as to suspected (or avowed) delinquents. Before being admitted to the benefit of composition, such persons had to take an oath not to serve against Parliament. Married men and the heads of families retained a proportion of their income for their maintenance; creditors, mortgagees and holders of annuities and rent charges were allowed to prove their claims if the settlements and encumbrances had been made before the outbreak of the civil war; and the court had power to allow and to confirm leases for not more than seven years. Lay proprietors were better off than beneficed clergy, as the former could mortgage their estates and sell the timber to meet their allowance, while the latter were compelled to trust to the justice and gene-

rosity of their successors for their 1/5. The onus of disproving statements as to the values lay with the owners, who were not allowed to employ counsel; but, where the value of the estates was under £100 a year, it was permissible for them to be heard in batches of threes to save expense. This even was more crippling to the Royalists than the defeats in the field, as it deprived them of the sinews of war.

8. When the result of Naseby fight became evident, the cavaliers forced Charles off the field; and, accompanied by Prince Rupert and two thousand horse, he fled by way of Ashby de la Zouche, Leicester, Lichfield and Bewdley to Worcester, where he spent the night. The next morning, he went on to Hereford, thinking that if the siege of Taunton were successful he might, with the help of Goring and Lord Gerrard, bring some five thousand horse and eight thousand foot into the field, with which he might join issue with the forces in the West. In order to keep up his communication with Ireland, he sent Rupert to Bristol; going himself to Abergavenny, he arranged with the commissioners of South Wales for a levy of five thousand foot. Thence he went to Raglan, the seat of the hospitable Marquess of Worcester, who had already spent some £100,000 in the royal cause. Here he remained till he heard that Fairfax was marching westward, on which he made

*July 1st*

*July 2nd*

an appointment to meet Rupert at Black Rock, *July 22nd* near Cardiff, in order to find means to unite his scattered forces. The prince formally approved of his schemes, but gave no hope of success; indeed, to him, it seemed immaterial whether the final catastrophe took place in Wales or Somerset. Ten days afterwards the King led his forces to the shores of the Bristol Channel, where the Welsh gentry (forming the greater part of his army) refused to leave their country; and the news of the fall of Bridgewater caused him to return to Cardiff.

9. When Parliament saw that decisive measures must be taken to break the royal power, they ordered Lord Leven to invade England; he crossed the border just before the *June 28th* battle of Naseby, capturing Carlisle, which, to the alarm of Parliament, he garrisoned with his own men. He was then ordered to lay siege to Hereford, but his progress southward was very slow. There were three reasons that prevented him being more active: firstly, the Scots brought with them their wives and families, numbering about four thousand souls; secondly, as they knew that no quarter had been given to the Irish auxiliaries in the King's service, they were afraid of being put to the sword in the case of defeat; and thirdly, they refused to leave Nottingham till they were assured of satisfactory conditions of pay. Knowing the necessity of acting quickly

solved this question: the committee of both Houses directed the county officers of Nottingham and Derby to supply the Scots with whatever provisions they required, to be paid out of the fund set apart by the "ordinance for the entertainment of that army"; as well as carriages necessary for their progress. When they reached Mansfield, Parliament was afraid lest the King should make a more acceptable offer to them, and resolved to raise £31,000, to which the city of London was requested to contribute a certain proportion: the latter consented on condition that the relief of Leicester was to be carried out immediately. In consideration of this sum, the first operation was to be the siege of Newark, the only important stronghold that the King possessed in Nottinghamshire, before the beginning of November. These terms were eagerly accepted; but Parliament was not pleased with the dilatory way in which the siege was conducted and the continuance of the Scots to live at free quarters, assuring them that the reason that the money was not paid was not from want of affection but through pressing need, and that on their slighting the strongholds of Carlisle, Warkworth, Newcastle, Hartlepool, Stockton and Thirwall, and withdrawing their garrisons, Commissioners would be sent down to settle disputes and give guarantees as to pay.

*D. S. P. June 16th*

10. Fairfax was selected to go to the relief of Leicester, which Charles had surprised

before reaching Naseby. By the irony of war, the former placed on his earthworks two demi-cannon and one culverin which had been used against the town only fourteen days before by the King. The place yielded almost immediately, and Parliament gained forty pieces of brass ordnance, thirty colours, two thousand stand of arms and fifty barrels of powder.

*June 18th*

11. Fairfax was sent West to follow the King, reaching Salisbury, where he met a detachment of Club men, an organized body of some four thousand farmers and yeomen who were bound by oath to protect their districts from rapine and plunder and to profess neutrality to either party and to convey all marauders to the nearest garrison held by their party, and to send all pressed men, who deserted their ranks, to their own homes. They demanded from Fairfax, at Dorchester, a pass to enable them to present similar petitions to Parliament and King alike, for the cessation of all hostilities, the disbanding of the present armies, and the garrisoning of strong places by the county forces. These he refused to grant, assuring them of the discipline of his own men. Soon after this, they were defeated at the hands of the Governor of Lyme Regis and the West became an open field to both belligerents.

*July 7th*

12. The difficulty of providing accommodation for Royalist prisoners was great. It is difficult to find room for great numbers of

persons in times of peace; but how much the more in time of war when their numbers are increased by thousands; everything was out of joint, and these new four thousand five hundred men had to be fed and housed. The custody of these men was offered to the city of London, who thought of fitting up the cloisters between St. Paul's and the chapter-house for their accommodation; this would have permitted them to restore Bethlehem Hospital to the use of the poor. At last it was found that Tothill Fields was the only available space for so many men. Although the Royalists did not cease to boast that no more than seven hundred captives could be found throughout the length and breadth of the land, these four thousand five hundred men were marched through London preceded by the captured banners. Most of them were Welsh (probably *monoglots*), to whom Dr. Craddock was appointed to preach in their language, exhorting them to take the Covenant and volunteer into the Irish service. Close upon four thousand followed his advice; of the remainder, the greater part were embodied in English regiments serving in the Netherlands; the commanders giving bonds in £50 each that such men should be landed and distributed among such regiments.

*June 25th*

*Life of Richard Deane*

13. The city of London, always anxious for peace, raised a loan of £6,000 to be

devoted to the relief of Chester, then the only seaport (except Bristol) on the West coast; Liverpool and Cardiff being towns of recent growth. In September, the Corporation was called upon to place in the field a thousand horse and five hundred dragoons to protect the counties of Oxford, Buckingham and Berkshire from the depredations of the various troops of Royalists who still hovered around London; each member was required to provide a horse and arms for one dragoon or two troopers, or pay six to twelve pounds for the providing of the same: the city itself raising £1,400 for officers' accoutrements and trophies;* and £1,600 to replace any horse that might be lost in action.

*London and the Kingdom, July 6th*

When Charles returned to Cardiff, he learned that the Scots had captured Carlisle, had commenced the siege of Hereford and were pushing on Worcester. In spite of Rupert's warning that Raglan would not be tenable if the former fell, he again retired to the roof of the hospitable marquess, who, during his absence, had raised four to five thousand recruits. His case was indeed perilous, and the more so since all were aware of it. To prevent any rash action Digby wrote to the Duke of Richmond begging him to dissuade the King from any attempt to go to the North:

14.

* By trophies is to be understood drums, colours or harness.

"His Majesty hath no means left to preserve his posterity, kingdom and nobility, but by treaty. I believe it better to retain something than lose all."

To Lord Jermyn he wrote even more strongly:

"This I must of necessity tell you that unless he allow the Scots, without engagements, to hope that the King may possibly be brought into such a change of government, at least of referring it" (the question of religion) "to a Synod, there is no hope that it ever will be brought to so much as a parley with us; whereas, if skilfully engaged by letting them promise themselves what the King will never promise them, we shall find means to so entangle them that it shall be impossible for them ever to get off again."

When Charles tried this later on, he did not find that it was a great success. Even the bold cavalier Rupert now lost courage; and when he wrote to the King in similar language, Charles answered him somewhat sharply:

"Had I no other quarrel but the defence of my religion, Crown and friends, you had full reason for your advice. I must say there is no probability but of my ruin; but as a

Christian, I must tell you God will not suffer rebels to prosper, or for His own cause to be overthrown, and whatever personal punishment it shall please Him to inflict upon me, it must not make me repine, much less give over the quarrel. .... .... .... .... ....
Having thus truly and impartially told you my positive resolutions, which, by the grace of God, I will not alter. .... .... ....
.... .... .... .... .... .... ....
assuring you that low as I am, I will not go less than was offered in my name at Uxbridge, confessing that it were as great a miracle that they should agree to so much reason, as that I should be within a month in the same condition that I was immediately before the battle of Naseby. Therefore I must avow to all my friends that he that will" (be) "with me at this time must expect and resolve to die for a good cause; or, what is worse, to live as miserable in the maintaining of it, as the violence of insulting rebels can make him. .... .... .... .... .... .... ....
As for the Irish, I assure you they shall not cheat me, but it is possible they may cozen themselves; for, be assured, what I have refused the English, I will not grant to the Irish, rebels, never trusting that kind of people, of what nature soever, more than I can see by their actions; and I am sending Ormonde

such a dispatch as I am sure will please you and all other honest men. .... .... .... .... .... .... .... .... .... .... .... For God's sake, let us not flatter ourselves with these conceits; and, believe me, the very imagination that you desire a treaty, will lose me all the quicker."

15. Charles continued his recruiting in South Wales at the magic name of "Worcester," and suddenly started for the North by way of Bridgnorth and Wolverhampton, escaping the vigilance of the Scots as he passed by Hereford; they soon, however, heard of his movements and sent four thousand horse to keep him in touch.

*D. S. P. Aug. 16th* When at Lichfield, it was uncertain as to whether he would not serve his purpose by going to Yorkshire, where he might obtain recruits, arms and ammunition, and confer with the gentlemen from the newly surrendered castles of Pontefract and Scarborough. The plague having broken out at Ashby de la Zouche, he kept to the North of the Trent, capturing, from time to time, small parties of Parliament stragglers, whom he sent to Welbeck. From his "court at Welbeck," he issued a proclamation, "on the word of a King," promising pardon and protection to any of his subjects who would submit to him. Here, too, he had an interview with

Sir Richard Willis, Governor of Newark, who proposed the slighting of all the strong places in the Midlands, such as Newark, Ashby, Tutbury, Lichfield, Belvoir, Weston, Bridgnorth, and Denbigh, the united garrisons of which should join Goring in the West. The King was as favourable to this proposition as it was disagreeable to the gentlemen of the North; and when they said it would place the whole of that district at the mercy of Parliament, Charles did not insist upon it.

16. Leaving his horse at Welbeck, accompanied by Sir Richard Willis, Charles went on to Newark, where he found the "rebels" had left in a state of disorder almost amounting to mutiny, threatening their commander (Poyntz) with imprisonment, if their arrears of pay were not met. Thence, he proceeded to Doncaster, where he was met with 3,500 horse and 2,000 foot, all of whom declared themselves willing to follow him anywhere, and held a council of war to decide whether it would be best to advance into Scotland to join Montrose, to await the coming of that general into England, or to withdraw to Ripon, at some distance from any Parliament garrison, until the North could be raised in his favour: failing these he had the alternative of slipping into Wales. This ebullition of royalism lasted but a short time. When the Cavaliers heard that David Leslie had followed the King as

far as Rotherham and had been joined by Rossiter and Poyntz (their united army amounting to some 10,000 men), they doubted the wisdom of inviting a second Naseby, and so many deserted that Charles was fain to fall back on Newark, whence, carefully watching the movements of the enemy to see if they would break across Lincolnshire, he attacked Belvoir and Stamford and made a bold dash at the Associated Counties, with the idea of throwing his pursuers off his track and relieving Hereford before Leslie could return. He attacked Belvoir and Stamford and reached Huntingdon, where he found the sheriff (a member of the Cromwell family) had raised the county in his name and had enrolled a considerable number of horse. Closely followed by Poyntz, he was surprised at not hearing anything of Leslie and the Scots horse, * but this he quite understood on hearing that, after the victory of Kilsyth had made Montrose master of the Highlands, Leslie had taken up his quarters at Northallerton, intending to send one half of his men to help their brethren in the "land o' cakes." However, Poyntz forced Charles to retreat to St. Ives, where he levied a fine of £5,000, and set out for Oxford, which he reached on August 31st, via Cambridge and St. Albans.

17. Since its original election in 1642, the composition of Long Parliament had

* Eight regiments, one of dragoons and three hundred mounted musketeers.

changed. Some of its members had died, others had left to join the King, and others had fallen away from the principles of Milton and Vane. Those who had deserted Parliament for the King were declared incapable of sitting, and Beverley was scratched out of the list of constituencies as being sure to elect a Royalist. The non-representative character of the House became a byword, and when the inhabitants of Southwark presented a petition for the election of fresh members for that borough as well as for Hythe and Bury, writs were issued for the election of 146 men ("Recruiters"), among whom were Fairfax, Fleetwood, Hutchinson, Sydney, Blake, Ludlow and Ireton, sworn foes to despotism, but, for the most part, of moderate views; friends to peace and order, but without power of combination, and not rallying round the acknowledged Chiefs of the House, who were mostly Presbyterians, and who thus lost their influence. Of the forty-seven signatories of the death-warrant of Charles, seventeen entered Parliament at this time. In the following year, only eight-nine members were elected.

*Aug. 21st*

18. Before leaving Huntingdon, Charles wrote to his Chief Secretary, Sir H. Nicholson, describing his position:

> "Let my condition be never so low, my success never so ill, I resolve, by the grace of God, never to yield up the Church to the

government of Papists, Presbyterians, or Independents, not to injure my successors by lessening the crown of that military power which my predecessors have left me, nor forsake my friends; much less let them suffer while I do not, for their faithfulness to me; resolving sooner to live as miserable as violent insulting rebels can make me—which I esteem as worse than death—rather than not be exactly consistent to these grounds; from which whosoever, upon what occasions, shall secede the least tittle I shall esteem knave or fool."

So hopeless did the royal cause now seem that Parliament had instructed the naval commanders to allow ships of all friendly nations to trade freely with Bristol, taking exception to the importation of arms, ammunition and contraband of war (which was held to include a larger amount of victuals and money than was necessary for the voyage and managements of ships and crews), provided they did not take goods from any beleaguered port. In consequence of this Mr. Secretary Nicholson wrote to the King:

*D. S. P. July 8th*

"I consider your Majesty's condition to be at present so low as that it is requisite that you forebear no longer to let your best affected allies know it, and to crave their

speedy assistance, which I conceive cannot be so sudden and effectual any way as by the declaration of your Majesty against the rebels and an embargo made of all the" (rebel) "shipping, which, if the French, Portugals and Hollanders would do, it would so awaken the rebels as to make them listen to reason; whereas the bringing in of foreign forces would be so hazardous and so tedious as it would do your Majesty little good. God preserve your person and prosper your enterprise."

To add to his troubles, his officers became dissatisfied. General Goring retired to France on being refused a seat in the council of the Prince of Wales, and the generalship of the West, which would have given him power to grant commissions in the Army.

19. With all his wavering Charles was never wanting in energy and physical endurance; and, on the morrow of his arrival at Oxford, he went with the troops that had been collected while he was away, to Hereford, where Leven was conducting the siege under great disadvantages; most of his cavalry being still in the North, and the season being extremely wet. On hearing of Charles' advance, he hurriedly broke up his camp and withdrew to Gloucester, where Charles was advised to follow

him, but this he declined to do, pleading fatigue, and returned to Raglan in the vain hope of being able to relieve Bristol; Poyntz and Rossiter being still at his heels with 2,000 horse at Uppingham.

20. Considering its great importance as the port communicating with Ireland, Bristol had been greatly neglected. An outbreak of the plague had forced the Prince of Wales to take shelter in the "pleasant town" of Barnstaple, and Rupert had assured his uncle that, barring mutiny, he could hold out for four months. But on taking up the command, he found that instead of the 2—3,000 men necessary to man the walls, he had only some 1,500. There was no lack of vigorous sorties; but when many men deserted from the town, Rupert requested Fairfax to allow him to communicate with the King, promising to surrender if not speedily relieved. This was refused; Fairfax tried to storm the walls, but was repulsed. He then sent a message to the prince, begging him

*Sept. 10th* not to sacrifice unnecessary lives, offering him honourable conditions; adding that:

> "His being in arms was not to destroy the monarchy, but to maintain it in the position it should occupy, both now and in the future; and that the King, misled by his evil counsellors (or even through a seduced heart), had left his Parliament, under God the best assurance for his crown and family."

Terms were speedily arranged and the garrison marched out with military honours; officers riding their own horses, fully armed; and private soldiers with horses and arms, muskets loaded, bullets in mouth, matches burning, pike on shoulder; colours flying and trumpets blaring; each man carrying as much ammunition as he could. For want of transport, they left behind 100 kegs of powder, 159 brass cannon (still on the walls) and provisions for 350 days. Rupert himself rode out in state, attended by his bodyguard of 150 men fully armed with pistols and 1 lb. of powder and ball. As he had to pass through a country hostile from the continued depredations of the Royalists, he begged 1,000 muskets from Fairfax, which he promised to return when he reached Oxford. So many deserted him that he had barely 500 men with him when he reached Binford, and these were compelled to deliver up their arms, among which were probably the borrowed muskets. On his arrival at Oxford, he fulfilled his promise as well as he could, apologising for the missing arms. Hearing of this surrender, the King wrote to his nephew:

> "Though the loss of Bristol be a great blow to me, yet your surrendering it as you did, is so much affliction to me, that it makes me not only forget the consideration of that place, but it is likewise the greatest trial of

my constancy that yet hath befallen me; for what is to be done, after one that is so near to me as You are, both in Blood and Friendship, submit himself to so mean an Action. .... .... .... .... .... .... .... I must remember you of a letter of the 12th of August, whereby you assured me, if no mutiny occurred, you would keep Bristol for Four Months. Did you keep it Four Days? More Questions might be asked, but, Now, I confess to little purpose, my desire is, to desire you to seek your Subsistence, until it shall please God to determine my Condition, somewhere beyond the sea, to which end I send you herewith a Pass; and I pray God to make you sensible of your present Condition, and give you means to redeem what you have lost; for, I shall have no greater joy in a victory, than a just occasion without blushing to assure you of my being your loving Uncle and most faithful Friend. C.R."

21. Charles now turned his attention to Chester, still closely besieged by Parliament troops. To throw dust in the eyes of Poyntz, who was at Stamford with 3,000 horse and dragoons, he remained a week at Hereford, after which he returned to Raglan, placing himself between that force and his raw Welsh recruits, who were ready to change sides, should

his fortunes seem beyond recovery. Then at the head of these men and the Northern horse, in all about 5,000 men, he went North by way of Mid-Wales, gaining four days march on Poyntz and arriving at Chirk castle, within 18 miles of Chester, which the Parliament troops had attempted to storm. Thence he sent the royal horse under Sir Marmaduke Langdale, by way of Holt Bridge, while he, with his cavalry and infantry under Lord Gerard, advanced by Whitechurch. Poyntz met Langdale at Rowton Heath, attacked him *Sept. 24th* in the rear, threw his men into disorder, but failed to rout them. On seeing this, the force before Chester left their trenches so quickly that it was thought that the siege was raised; but Poyntz rallied his men, and the Royalists reformed themselves between two fires, suffering great loss. The King passed that night in Chester; but finding it unsafe, withdrew to Denbigh, with 2,500 men, closely followed by the Parliament general, who had drawn up his forces on the opposite side of the Dee. It was now that Charles *Sept. 13th* learnt that Montrose had been defeated at Philiphaugh, which lost him the whole of Scotland, and was seeking shelter in the Highlands.

22. The King's advisers were (as usual) divided in their opinions as to the best course to take under these circumstances. It was suggested that he should winter in the Isle of

Anglesea, which had the advantage of being nearly equi-distant from England, Ireland and Scotland. He himself wished to go to Hereford, or Bridgnorth, till he could raise a sufficient number of men to meet Poyntz. Always willing to believe what was most agreeable, he lent a willing ear to the rumour that Montrose had retrieved his last defeat and was in a position to invade England. He did not learn the bitter truth till he reached Rotherham, where he found the Scots cavalry encamped near Northallerton, Leslie having received an invitation to besiege Newark, for which he was to receive £1,000 already voted for that purpose, and £14,000 from the Eastern Association. Lord Chancellor Loudon and Willis (Governor of Newark) wished him to go to Stirling to rally the retreating Highlanders. Instead of doing this he sent Digby, as generalissimo of the North, beyond the Trent, with Sir Marmaduke Langdale, to assist Montrose; the former was beaten back at Doncaster, and fleeing by way of Skipton to the Isle of Man, found safety in Ireland.

23. *Oct. 16th* Rupert was confined at Oxford, but found means of getting to Newark, where he burst into the King's presence and demanded, with his principal officers (who made a common cause with him), passes beyond the sea, or a court-martial. Both were granted. The *Oct. 18th* court declared that they were "not guilty of any the least want of courage and

fidelity, but were not absolved from a charge of indiscretion." On thus, they withdrew to Belvoir, where he demanded passes from the Parliament, which were refused as he would not take the negative oath. Finding himself hemmed in, he cut his way through the Parliament ranks, and again sought his uncle's presence and begged forgiveness. This was given, but the Council was instructed to withdraw their commissions.

*Nov. 10th* Seeing all was lost, he and his brother Maurice still refused to take the oath, but was disengaged himself from the King's service. On June 25th, 1646, the two brothers were banished the realm, for not observing the treaty for the surrender of Oxford; and on telling Rossiter the number of servants, the quantity of baggage and the route by which he intended to leave England (being limited to Rye, Dover, Yarmouth, or Southampton, and being prohibited from passing through London), Rupert was granted the desired passes, on July 5th, and disappeared from the active scenes of English History.

Poyntz was now approaching Newark,

24. and as it was uncertain as to how long it would be before the King was hemmed in, it was necessary for him to commence his journeyings again. Before leaving, he made Willis, captain of his life-guard, replacing him as governor by Lord Bellasis, which was not agreeable to

*Nov. 4th* the former, who declared he was not rich

enough for the post and that it would ruin him. At midnight, the King drew up his guard in the market-place and left for Belvoir, whose governor (Sir Gervaise Lucas) provided him with guides to thread his way through the Parliament garrisons. At Burgleigh his small cortege was attacked by Parliament troops and some stragglers were slain. In the evening, fatigue compelled him to seek rest at a village near Northampton; resuming his journey, he arrived at Daventry at dawn, and at Banbury (where he found the troops he had ordered from Oxford awaiting him) at noon. Reaching Oxford without delay, he assumed his ordinary life, surrounded by those of his courtiers who still remained in England.

*Nov. 6th*

Another deputation from Parliament waited upon the Corporation of London, to arrange a loan to prosecute the siege of Chester. Those who had money to lend were willing to advance it; but it was thought necessary to draw up an account of the transactions between Parliament and the city. The New Model had done its work well. Victory had followed all along the line, and the only places of importance that held on for the King were Chester, Oxford, and Newark. It was thought that Leven had not prosecuted the siege of the latter with the vigour he might have done; but the city promised to advance the sum of £31,000 (at 8 %), if the Scots commenced the siege before Nov. 1st,

25. *London and Kingdom Nov. 12th*

(which they had done) to be paid out of the monies to be received at Goldsmith's Hall. As the committee received £6,000 more than was asked for this undertaking, the surplus was directed to be distributed among the Scots, under the direction of a committee of both Houses, who were with them (to watch the progress of the siege) to prevent the evils of free quarters.

*Dec. 18th*

26. In the presence of so much success, Parliament looked upon the war as approaching an end and thought it was time to bestow honours and rewards upon those who had crowned its arms with laurels. So far from professing social equality, they proposed to confer the dignity of a Duke upon the Earls of Northumberland and Warwick; of a Marquess upon Earls Salisbury and Manchester; of an Earl upon Lords Saye and Sele, Wharton, Willoughby and Fairfax; of a Viscount upon Denzil Holles and of a Baron upon the Lord-General Cromwell, Waller and Vane. To the Lord-General was granted an estate worth £5,000 a year. The Lord-General Fairfax, Waller, Haselrig, Brereton and Skippon were given an estate worth £5,000 a year, and gratuities of £2,000, £1,000 and £500 respectively. Cromwell was not forgotten; he received lands presumed to bring in £2,500, forfeited by the Marquess of Worcester, but which were, in reality, only worth £820. Of these grants, only that given to Fairfax was to have priority over public debts. Of the recipients, only five

were intimately connected with the Independent party; Fairfax being a Presbyterian. This incident proves that Cromwell was not by any means the head of the Parliamentary party; although some attribute to him a strange omnipotence and omnipresence, considering that he did everything that happened before and during the Civil War and after.

27. Surrounded by ill-advised, if well-meaning friends, Charles still thought that if he collect a sufficient force he could relieve his position by aid of the Scots. Their attachment to the Covenant did not make him love them any the more; still he knew they were more likely to accept a non-covenanting King than the Independents were to accept a King at all. Previous to leaving Newark, he had authorised one of his officers, Sir William Vavassour, to surrender himself as a prisoner, in order to sound the army as to the probable hopes of success; and when Lords Dorset, Southampton, Hertford and Lindsay thought that the time had come when he might negotiate, he replied "that he would put his crown upon his head and defend himself with his sword." He still relied upon the aid from the French court, which, apart from any sympathy with the misfortunes of the daughter of the Great Henri, was alarmed at the success of Parliament arms, which bid fair to cause the birth of a strong, free and protestant nation, separated from France only by the narrow sea.

They could read the signs of the times and knew full well as Dr. Neale says in later times:

> "And England's Church is Catholic,
> Though England's self be not."

and that the representative of the Stuarts was even more Catholic than the Church. *Oct. 10th* Accordingly they sent Sir Robert Moray with a letter from the Queen, who had been persuaded to write to her husband in favour of the establishment of Presbyterianism and the abandonment of Episcopacy as the basis of negotiations. Charles assured the Scots Commissioners that the Queen did not understand the constitution of England, and that Anglicanism in the latter country would do no harm to the Presbytery in Scotland; while the inhabitants of North Britain should have convenient churches in London and elsewhere. Even the displeasure of the Commissioners produced no effect upon him.

28. The widows of the men who had died during the war in the train of artillery petitioned to have some provision made for them; this was ordered to be considered. Here was Cromwell's foresight proved: "*These men must not be neglected.*" The Army, thinking themselves neglected, opened up negotiations with the King on their own account; stating that they were ready to make terms with him, if he "would regulate religious matters" with the concurrence of Parlia-

ment, place at their disposal one half of the places of authority, and establish Independency in Ireland, after having subdued it; which form of religion was to be tolerated in England. If Parliament objected to this, "The Army would fight for him."

29. Such were the conditions that the New Model offered to the King, if he consented to them, he would hold the strong places in England at his disposal. Never had a dethroned monarch such assurances given him from revolting subjects; had he read the signs of the times he would have accepted them. But, no! he refused to accept these offers. When the four lords heard of his rejection of these conditions, they were wrath and offered to give him up to the pleasure of the Army if their own estates were assured them! Vavassour heard of this, and warned Charles.

*Dec. 9th* These intrigues alarmed the Presbyterian Parliament, as their success would have placed them at the mercy of the Independents; but it must be noted that the King was not acting without some understanding with the Scots. Both Sinclair and Leslie were inviting him to turn his steps towards their camp, for which the former was tried for "trincatting" * with the enemy, but was acquitted; and Vavassour was banished the kingdom. At the same time, the King made advances to

*Dec. 18th*

* Trincatting = trinketting; negotiating; holding private intercourse.

the Scots Commissioners, which were rejected, as they, too, were preparing terms of peace.

Charles always thought that his advantage would lay in personal negotiations. He now demanded safe-conducts for Lords Richmond and Southampton, accompanied by Messrs. Ashburnham and Palmer, to go to London to treat on his behalf for a peace with the two Houses and the Scots Commissioners. To this, he received no reply. Four days afterwards, he wrote to Lord Grey de Warke, speaker of the peers *pro temp:* expressing his surprise at this:

30. *Dec. 5th*

> "After so many expressions on your part of a deep and seeming sense of the miseries of the affected kingdom and of the danger incident to his person during the continuance of this unnatural war, your great, and so often repeated, protestations that the raising of these armies hath been only for the necessary defence of God's true religion, his Majesty's honour, safety and prosperity; the peace, comfort and security of the people, you should delay" (to send) "a safe-conduct for the persons mentioned in his Majesty's letter of the 5th inst, who are sent unto you with propositions of a well-grounded peace. They, so far from having been denied at any time by his Majesty, whensoever you have desired the same, that he believes it hath been sel-

dom, if ever, practised among the most avowed and professed enemies, much less from subjects to their King; but his Majesty is resolved that no discouragement whatever shall make him fail of his part in doing his utmost endeavour to put an end to the calamities which, if not in time prevented, must prove the ruin of this unhappy nation; and, therefore, doth once again desire that a safe-conduct be forthwith sent for those persons expressed in his former letter; and" (he) "doth hereby conjure" (you) "as you will answer in that day when Almighty God shall make an enquestion of all the blood that hath been, and may be yet, spilt in this unnatural war, as you may hinder the preservation and establishment of the true religion, of the bonds of allegiance and duty to the King, or compassion to your bleeding and unhappy country, and of charity to yourselves; that you may dispose your hearts to a true sense of, and employ all your faculties to, a serious endeavour with his Majesty, to set a speedy end to these wasting divisions; and we shall not doubt but that Gop will again give peace to the distracted kingdom."

*Dec. 25th*

This letter brought an answer: the delay had not been caused by carelessness, but by the difficulty of agreeing upon the terms of a well-

grounded peace with the Scots Commissioners. As to the granting of safe-conducts, they found they had, on previous occasions, been used to other ends and had proved unsatisfactory; but, now, both Houses were deliberating upon certain propositions which were to be approved of by the Commissioners and would be submitted in the form of bills, to be accepted or rejected. The King's answer was that he hoped there would be no delay; and that why former attempts at treaty had been unavailing was through the fault of the negotiators, who had not been given sufficient authority to transact such important business. He demanded the negotiations should be in person, and desired the two Houses, the Scots Commissioners, the Lord Mayor and Corporation of London, and the heads of the English and Scots Armies and the Militia to give him a pass to go to London, to remain there forty days, with a retinue of no more than three hundred persons; should the interview fail, he was to be allowed to return to Worcester, Newark, or Oxford, as he should please; naming his destination before leaving London; and to preserve the peace of London he was willing to give the command of the Militia to the Lord Privy Seal (Richmond), the Lord Chamberlain (Dorset) and Lords Hertford, Dorchester, Northumberland, Southampton, Salisbury, Manchester, Warwick, Denbigh, Chichester, Saye and Sele, Seymour, Lucas and Lexington,

*Dec. 26th*

Messrs. Denzil Holles, Pierrepont, Bellasis, Spencer, John Ashburnham, the Lord-General, Sir Gervaise Clifton, the younger Vane, Wallop, Chichley, Cromwell and Skippon; against whom, he thought, no exception could be taken: should this list be unsatisfactory, Parliament was to be at liberty to name one half. He then called upon God to witness that his intentions were for the composing of miserable differences, and should he be unsuccessful "he would leave the world to judge who were the continuers of this unnatural war." To the Speaker of the Peers and to the Scots Commissioners, he sent another letter, also "leaving the world to judge whether his propositions for a personal treaty or their denial of a pass were greater signs of peaceful intentions," insisting upon the terms of his letter of Dec. 26th. On his return to London, he assured them:

*Dec. 29th* "Not only of his intention to give satisfaction to Ireland, with the concurrence of Parliament, but" (that he would) "continue the payment of public debts, as well those owing to the Scots as those to the city. As to the question of the Militia, none should have cause to complain of want of security; he would never have thought of entering into a personal treaty, had he not desired to make it clear to all the world that public good and peace were far dearer to him than respect of

any private interest; wherefore, no one can oppose him without a manifest demonstration that he particularly envies his Majesty should be the chief author in so blessed a work, besides declaring himself a direct opposer of the happy peace of the nation."

In addition to this, he promised to grant liberty of conscience, to disband his army and join himself to both Houses. Parliament objected to his presence in London, as they knew Lord Holland was planning an insurrection in his favour; and were not gratified when they knew the Scots supported him in this measure. The only practical result was the writing of two letters, one to the Lord Mayor, directing a more stringent examination of the passes of those who entered and left the city; and another to the King, pointing out that much blood had been shed by the Irish in his army: "we conceive that until satisfaction can be given to both your kingdoms, your Majesty's coming hither cannot be convenient to us or be counselled by us."

*Jan. 16th 1646*

31. Charles professed himself ready to yield the command of the Militia. He was now about to carry out the plan submitted to him by Willis and had given instructions to the Governors of Worcester, Exeter, Newark, Chester and Oxford to slight their works and concentrate their

united forces (estimated at 3,000 foot and 2,500 horse) upon Worcester on Feb. 20th, on which day, taking into account the time required to negotiate the meeting, he expected to be in London. The Militia would be of small account when the whole of England should be resounding to the tramp of armed feet. Should the treaty be abortive, he was ready to retire on Worcester or Newark and march to the relief of his Army in the West, or go into Kent or Surrey which would rise in his favour. In addition to this, he hoped that Lord Ashley (who had succeeded Prince Rupert in the command of the Welsh border) would, by that time have raised a thousand recruits to join the Irish and foreign mercenaries. A Colonel Fitzwilliam had been recommended by the Queen as the agent of a certain Hartoyen (claiming to represent the Confederated Catholics of France) to obtain recognition (at least privately) of the claims of the Irish Catholics. On the payment of £1,000 the Colonel promised to bring 10,000 men from Ireland fully armed, to be landed under a guard of 2,000 English soldiers; the Colonel to receive a full commission as Commander in Chief under the King and the Prince of Wales and Rupert; providing all arms and ammunition, and his army was to receive the same pay as similar rank are paid in the King's army, each soldier receiving a month's pay on reaching England. But the King mistrusted Hartoyen. On the same date, the

Queen wrote a letter of thanks to Innocent V. for his interest in the royal cause, for arms and ammunition; and for restoring the Scots pensions at Avignon and Rome.

32. *Jan. 15th* Charles wrote a characteristic letter to the queen.

> "For Ireland and for the militia it is true *I intend to give them*" (the Parliament) "*leave to hope for more than I intended*,* but my words are only to endeavour to give them satisfaction in either. Now, as to the first fruit of what I expect to my treaty, knowing assuredly of the great animosity there is between the Independents and Presbyterians, I have reason to hope that one of the factions would so address themselves to me that I might without difficulty obtain my own just ends, and then it would have given me the better opportunity for considering the Scots treaty, that should be; besides, I might have found means to put distraction among them, though I have found none."

33. When this correspondence was known, hard things were said of Charles and threats of deposition were heard for the first time. Up to this point, Parliament had been strictly monarchic, with the exception of Ludlow, Martin and a few others; were the King deposed, a

* Italics not in the original.

successor must be found. The Prince of Wales was out of the question as an enemy to the state. Failing the Duke of York, there was the Duke of Gloucester, who could govern through a council of regency.

34. As must always be the case, this cessation of arms caused the land to be flooded with homeless men. Some were deserters from the Parliament and Royalist armies; some fugitives from the battle-fields; others, men who had been ruined by the devastation of war. Wherever they came from, they had to be attended to. The treasurer of the Four City Hospitals gave notice to the Corporation that although their beadles had received orders to patrol the streets and clear them of vagrants, they had no authority to take them before a justice or commit them to Bridewell; all they could do, would be to stand in the streets in their blue coats and deliver vagrants to constables, who, should they refuse to act, could be reported to the magistrates,

35. *Jan. 14th* The Corporation received the Covenant, but not unanimously; an enquiry was held as to who omitted to do so, and why. The King also renewed his overtures of peace, wishing to have the discipline of the Church based upon the prayer-book of Elizabeth and James, with full liberty to those who "could not communicate as set forth by the law, and the free use of the Directory as prescribed by both Houses

and preached in London." The city strongly opposed any toleration save for Presbyterians, the result being that many private meetings were held, and women began to preach and blaspheme in a manner that made others tremble to think of; while orthodox divines (Presbyterian ministers) were spoken of as though the city were still under "prelatical tyranny." A Petition was presented to Parliament to settle church government on the lines of the Covenant and to remedy these abuses quickly.

36. The proposed assembling of the King's forces on Feb. 20th proved a failure. With a view of keeping up the communication between the various garrisons, Lord Ashley, whom Charles had ordered to advance to Oxford with 3,000 horse, collected from his various strong places in South Wales, was defeated by Brereton at Stow-in-the-Wold with a loss of 1,800, slain and captured. As the venerable leader, overcome with grief, was allowed to seat himself on a drum, he said, "Gentlemen, you have done your work; you may now go play unless you prefer to fall out among yourselves."

37. The Royalist cause was now broken; not only were they confronted with poverty, but they began to take notice of Parliament proclamations. When Lord Bernard Stuart was offered (and accepted) the earldom of Lichfield, Mr. Secretary Nicholson, knowing that he

had lost everything at the battle of Naseby, wrote to the King, asking, "would the King be pleased to show him the same indulgence as he had Lords Brentford and Ashley and grant the remittance of the fees?" When Sir Richard Lane was appointed Lord Keeper of the Great Seal, his vacant office of Chief Baron of the Exchequer was offered to the King's Attorney General, Sir Edward Herbert, who declined it, as by an ordinance of both Houses, his acceptance would debar him from future judicial functions.

38. Mr. Secretary Nicholson had written to Vane to arrange an accommodation between King and Parliament, assuring him that if the establishment of Presbyterianism was insisted upon, the Royalists "would combine with the Independents to extirpate from the kingdom this tyrannical domination and secure each other's liberty!" Vane's answer has not been preserved; but the King wrote again, urging compliance as the risk was very great: "If something were not done within four days, I will have to find another expedient." He then wrote to Parliament, proposing to disband his troops, to surrender all his fortresses and to take up residence at Whitehall, if his followers would be allowed to live on their own estates, without taking any "strange oaths," alluding to the negative oath. These propositions were not pleasing to Parliament, as they knew full well that if the King took up his residence

at Whitehall, it would not be against him that the violence of the mob would be directed. To meet this situation, ordinances were passed setting forth the curtailment of public meeting; the prevention of any one visiting any place where the King might be and, if necessary, to arrest the King himself. Courts-martial were erected with power to condemn any one to death for having communication with the King, with any of the royal garrisons, or for having sheltered anyone who had borne arms against the Parliament; while all papists, delinquents, cashiered officers, and soldiers of fortune were ordered to leave the city within three days.

39. Baffled on every side, Charles now made a great blunder. Having failed to obtain terms from the Scots Commissioners, who stood shoulder to shoulder with the English Parliament, he knew he could not succeed in obtaining any benefit from the Scots Parliament at Edinburgh, for they would insist upon the adoption of the Covenant which Cardinal Mazarin did not hesitate to urge the King to adopt if the Scots would reseat him on the throne for doing so. He urged that he would not offend against his conscience, as he would merely ratify in Scotland what had been established in England against his will; and showed him the hopelessness of trying to re-establish episcopalianism and of trying to reconcile all parties. But Charles clung to his love of

king-craft; to his idea of making overtures to all parties until he hardly knew to whom he had promised the most. The wily Cardinal sent M. de Montreuil, accredited by Henrietta Maria to the Scots Commissioners sitting at London, as a special envoy to the English King, towards the end of March, and furnished him with a paper signed by himself, to give him the King's authority to treat with the Scots before Newark. This ran:

> "By virtue of the power I have from their Majesties the King and Queen of France, that if the King of Great Britain shall put himself into the Scottish Army, he shall by them be received as their natural Sovereign, and he shall be with them in all freedom of his conscience and honour; and that all such of his subjects as shall there be with him, shall be safely and honourably protected in their persons; and that the said Scots shall readily and effectively join with the said King of Great Britain, and also receive such persons as shall come with him for his Majesty's preservation, and that they shall protect all his Majesty's subjects to the utmost of their power, as his Majesty shall command all those under his obedience to do the like unto them; and that they shall employ their arms and forces to assist his Majesty in the procuring

of a happy and a well-governed peace, for the good of his Majesty and the said kingdoms and in recovering his Majesty's just rights. In witness whereof I have put my hand and seal, this first of April, 1646. De Montreuil, Résident pour sa Majesté très Chretienne en Ecosse."

40. It is difficult to understand the meaning of this *poisson d'Avril*. It seems improbable that Charles should have taken such a one-sided agreement as binding on the Scots. It reads more like a proposition made to them by Montreuil; and savours of Jermyn's former futile idea to force the Scots to understand what was not meant (paragraph 14). Of course, Lothian and his officers would be nothing loath to receive the King without any conditions on their part and frequently enquired as to the date of his arrival, promising to send a troop of horse to meet him at Bosworth. The "Resident" soon found out his mistake and sent a messenger to warn the King he could not depend upon the Scots as they would not enter into any arrangement: he was captured, but, concealing his dispatches, managed to escape.

42. Cromwell had been engaged for some time in reducing the King's strongholds in the West. This gave the King time to form his plans and to order the Prince of Wales to be

ready to escape across the seas, should affairs turn out to his detriment. His council thus formulated his position: "The King now had no army, but those in garrison, and no money to meet their expenses which compelled them to live at free-quarters, which alienated the country people." He could no longer raise levies in Wales, and the fall of Bristol prevented him communicating with Ireland; Exeter was close begirth; Dartmouth was surrounded with troops; Cromwell and Fairfax had 1,500 men near Plymouth; Belvoir was in danger and Newark was hotly besieged. Rainsborow had already taken up his position before Oxford and had refused to give the King a pass-out of that City without the authority of Parliament whose servant he was. It was evident that before long the siege of that city would he conducted with greater seriousness since Fairfax had already arrived at Newbury.

42. *April 27th*

At midnight, accompanied by his chaplain, Dr. Hudson, and his groom, Mr. John Ashburnham (to whom he appeared to act as servant) the King left the city. Tradition says that they left by separate gates, but a woodcut of the period shows them leaving together. Making their way by Henley, they reached Harrow-on-the-Hill, whence Charles gazed at the city he dare not enter, although the Lord Mayor had offered him an asylum. At St. Albans they saw a man riding rapidly, which filled them with alarm.

Not finding the promised Scots horse at Harborough, Charles sent Dr. Hudson to seek them, going himself via Stamford, Downham Market and other towns in East Anglia to Southam, where Montreuil had his lodgings.

43. Previous to leaving his beloved city, Charles had written to the Queen to tell her to summon the Prince of Wales to repair to her, as he did not think that he was safe in Jersey; his council did not care for him to mix with a catholic court, and it took all the wiles of Digby and Jermyn to make him act contrary to their advice; at last he went to Paris, with Lords Colepepper, Berkshire, Capel and Hopton; Hyde begging to be excused.

44. *May 5th* Early in the morning did Charles present himself to the astonished Lord Leven, then besieging Newark. He was received with all the pomp which the circumstances of the war would allow; the commander surrendering his sword which he immediately restored. Complaining of the absence of the Scots horse, which he had expected to meet him, he was told that the Scots army in England owed no obedience to the Scots Commissioners, with whom they supposed the agreement was, as they were the servants of Parliament. He was lodged in conformity with his rank; but his guards were too strong for a merely honoured guest. At nightfall, he would have given the password, but Leven said: "I am

the oldest soldier here and your Majesty will allow me to undertake that duty." After this, the fugitive King could have but little doubt of the fact that he was a prisoner among the Scots, who would not be unwilling to play with him on their own chess-board.

# BOOK II

## A CAPTIVE KING

## (1646—7)

I

When Parliament heard of the flight of the King from Oxford, they felt great alarm and proclaimed the death-penalty against anyone who should give him shelter. The Scots were not the less surprised when they found that the King had entrusted his person and (what was more sacred to him even than his life) his cause to their keeping without any security as to the future or "any idea of giving satisfaction to both kingdoms in all their just and reasonable demands in all things that concern religion and righteousness." Lothián soon reassured Parliament as to the whereabouts of the King, writing a letter to the effect that his coming into their camp had "overtaken us so unexpectedly, hath filled us with amazement and made us like men that dream." However gratifying this may have been to some, this did not please the Independents, the friends of religious freedom and equality, who (hated by the King, the Scots and the City) were filled with dismay, seeing in this their destruction; for Charles would have been

eagerly welcomed by his Northern subjects had he frankly avowed himself favourable to the Covenant and conciliated the Scots by fully conceding all they wished; but he had full "confidence in Caesar" and looked upon presbyterian church discipline as heretical and anti-monarchical.

2. The new masters of the situation were not slow to let their captive know what were their desires. They obtained the surrender of Newcastle and Newark; but Charles was not so obliging when he was requested to sign the Covenant, to establish the Presbytery in England and surrender James Graham: "He who made Lothian an earl, made Montrose a marquess." This is true, but Parliament did not recognise titles conferred since the carrying away of the great seal to Oxford. The Scots also refused to consent to his being sent to Paris as ambassador.

3. *May 6th* The Independents demanded that Fairfax should be sent to secure the person of the King, and that he should be confined in Warwick Castle, or some other strong place, as Oxford had been surrendered. *May 11th* All they could obtain was that Poyntz should follow the Scots with an army of observation, and that £100,000 should be raised to meet a portion of the arrears of pay due to their Northern brethren, with a promise that the remainder should be paid as soon as the amount could be determined. The Scots, naturally unwilling to lose such

a valuable trump card, retreated towards the border, taking the King with them.

4. Continuing that policy of mistrust in everybody save himself, Charles again desired to make a personal treaty. To prevent this, Parliament sent Lords Pembroke and Suffolk, with Sirs Walter Erle and John Hipsley and Messrs. Robert Goodwin and Luke Robinson to the Scots camp with four propositions:

1. The command of the land and sea forces to be vested in Parliament, for twenty years.
2. The abolition of Prelacy and the establishment of the Presbytery (no mention of toleration);
3. The exclusion of malignants from military and civil employ; and
4. The surrender of seventy of his followers, to be named, to be dealt with by Parliament.

On being introduced by Lord Chancellor Loudon, Goodwin began to read these articles. "Pardon me," said Charles; "have you any authority to treat?"

"No, Sir."

"Then but for the honour of the thing, a good honest trumpeter would have done as well. I imagine you do not want a present answer from me?"

"No, Sir," answered Pembroke. "We have orders to stay here not more than ten days."

"Very well, then, you shall have an answer in good time."

5. De Bellievre, the French ambassador, (assisted by Montreuil, who had been promised a handsome reward if he could save the King,) earnestly begged him to accept these conditions; in these he was joined by Lords Loudon and Argyle, who assured him that the only chance of his entering Scotland was by the door of the Covenant, and that, should he refuse, he would probably be deposed by the English Parliament. The City of Edinburgh was of the same mind, and the Corporation of London was only prevented from joining issue by the court of Common Council. The General Assembly of the Kirk wrote to the King, Parliament and City, pointing out the impossibility of admitting a non-convenanting King into Scotland. Even the Queen sent for William Davenant to urge the claims of the Covenant, saying that his friends thought the refusal would be detrimental to his interests:

"What friends?"

"Lord Jermyn, Sir."

"Jermyn does not understand anything about the Church."

"Lord Colepepper is of the same opinion."

"Colepepper has no religion. Is Hyde of the same mind?"

"We know not, Sir; the Chancellor is not in Paris. He has forsaken the Prince and has remained in Jersey instead of accompanying him to the Queen. Her Majesty is much offended by his behaviour."

"The Chancellor is an honest man and will not forsake me, the Prince and the Church; but my wife is mistaken."

As usual these negotiations were fruitless; Charles returned a harsh answer to the Commissioners, demanding a personal treaty to be entered into in London. Besides, come what might, he seemed determined to maintain the privileges of the Anglican Church; a more sacred charge to him than the welfare of his people, the safety of his person, his crown or even of his family. As the Presbyterians grew alarmed, the Independents became elated and would have sent Fairfax to seize the King forthwith; but the opinion of the house was that, if the Scots should be paid their arrears, the custody of the King could be obtained by more peaceable means.

6. *May 19th* Everybody now was anxious for peace. Charles wrote to the City, expressing his wish to settle "truth with peace", which feeling was reciprocated. The City petitioned Parliament to suppress heresy, to unite the two kingdoms, to grant them the control of their militia and to disband the Army. But Charles knew he had made a mistake in seeking safety with the Scots, and wrote to Ashburnham, saying he must escape from the Scots and find an asylum in France before July 10th.

But the Queen was not anxious for her husband's presence in France, especially when assured

by Jermyn that the King was not yet a prisoner in the Scots camp, but that he might become one if he were found plotting to escape, which would leave Parliament alone in the field. He added that if he remained firm in protecting his friends and in remaining master of the Militia, he could find an easy way out of his difficulties by adopting the Covenant, which he was anxious to do if it would not violate his conscience. Juxon and other prelates assured him that in doing so he would only sanction what had been done without his consent, "the rectitude of his intentions abating much of the obliquity of his actions."

8. Regarding the Civil War as ended with the possession of the person of Charles, the Scots now clamoured for payment of the sum due for the maintenance of an army of 1,800 foot, 1,000 dragoons and 200 horse, from January 18th, 1644, to September 1st, 1646, which they fixed at the sum of £1,800,000, reduced by negotiations to £400,000, acknowledging to have received £500,000 already in the way of "free quarters." Of this one half was to be paid when they were ready to cross the border and the rest by instalments at fixed periods. In these negotiations the Scots opposed the idea of Parliament having any right to dispose of the person of the King, for was he not King of Scotland as well as of England?—looking upon him as a lamb straying from the Presbyterian fold rather

than as a delinquent; and Lauderdale did not cease to implore him to accept the Covenant, saying that if he did this, the Scots would take him to Berwick, whence he could treat with Parliament on better terms. But in vain; he *would not* enter Scotland by the Covenant.

9. Seeing that they could do nothing, the Scots allowed Parliament to submit the following conditions to the King:

1. To adopt the Covenant himself: to be obligatory on all his subjects;
2. To abolish Prelacy;
3. To call an assembly of Divines to settle the question of religion, to be conformed to in England and Scotland;
4. To settle upon and maintain all acts relative to recusants;
5. Whose children were to be brought up as Protestants by Protestants:
6. The unlawfulness of pluralities and non-residence of spiritual persons;
7. To enforce the observance of the Lord's Day;
8. To reform Parliament;
9. To vest the land and sea forces in Parliament for ten years (to be optional in Scotland;
10. To promise that common law should not be superseded by martial law;

11. To maintain the privileges of the City;
12. To debar Lord Lyttleton, and all peers created since 1642, from sitting in Parliament;
13. To pass a general act of oblivion; excepting the Princes Rupert and Maurice, Ashburnham, Sir John Lucas, certain members of the Oxford Parliament and delinquents who had borne arms against Parliament:
14. Whose estates should be sold; one-half to one-sixth to be devoted to the payment of public debts and damages, except when the value did not exceed £100 or belonged to a private soldier; and
15. To prosecute the war in Ireland in favour of the Protestants.

10. The King listened to the propositions, which certainly were moderate. Many of them he was willing to accept, but he would not agree to abolish Prelacy, and doubted whether Presbyterianism or Independency would be more tolerant. He was willing, however, that Presbyterianism should be established in England, with the exception of certain dioceses; viz., Oxford, Winchester, Bristol, Bath and Wells, and Exeter, provided that Episcopalians were to have toleration and liberty of conscience, throughout the kingdom; and that Independency and Sectarianism were to be suppressed. As the *sine quâ non* was the signing of the Covenant, this treaty fell through.

11. *Sept. 7th* Cromwell headed a deputation to the City to urge the raising of money to pay the Scots, to which no difficulty presented itself, as it was intended to give the Excise, and Church lands as security. The Independents wished to include those of delinquents, lest Charles should compensate the bishops out of the lands of his secular followers. Ten days afterwards, it was resolved to sell bishops' lands and advowsons to find the necessary amount. Parliament was now well off, having been in possession since August, of the lordships, castles, manors and rents of the Queen and the Prince of Wales in Hereford, Worcester and the Duchy of Lancaster, as well as the tenths paid by the clergy to the Crown.

12. The Prince of Wales now saw that all was lost. He wrote to Fairfax that "he was moved by so deep a sense of our present miseries, and that he prayed to God for a happy peace, for which end he would send two of his councillors to the King, and prayed for a pass for Lords Colepepper and Hopton and twelve servants." Fairfax sent this on to Parliament, saying, "he thought he ought to communicate to the Houses a letter from the Prince", "not to hinder the hopeful blossom of our young peacemaker" (if I may make so bold as to call him) "what may prove a flower in his title more glorious and more sweet than the rest of his ancestors, if it please the Lord to create a peace by him."

The only answer was a prolongation of Cromwell's term of command for another twelve months; and a more rigorous treatment of the Royalists, who were now deprived of the one-sixth, hitherto allotted to them for the maintenance of families.

13. *Oct. 9th* And the Queen still advised him to accept the Covenant, and to abandon the Episcopate, on which Mazarin would place a thousand soldiers in the field to be supplemented by 23,000 Highlanders, Presbyterian Scots and Irish; the King ceding the Channel Islands as security for the expenses, in the same way as he had offered the Orkney and Shetland Islands to the King of Denmark.

14. It is noteworthy that in the negotiations of the Parliament with the Scots in the matter of pay, the King's name does not once appear. The former knew very well that peace was uncertain and their position was perilous while he was with that Army, for he might, by chance, even now sign the Covenant and be reinstated at Whitehall by Scots claymores; at the same time, it was understood that no payment would be made while they occupied English soil, and they were not likely to allow the King to delay this. And by obtaining possession of his person, Parliament thought they could disband the obnoxious Army, which was becoming more and more permeated with Independency. They

*Sept. 24th* passed a resolution "that to Parliament belonged their right of disposing of the King's person." While this question was being discussed in England, the Scots, confident of receiving their arrears, moved to Newcastle. The sum of £200,000 was duly found, packed into 200 cases, each sealed with the arms of the two kingdoms, and was loaded upon sixteen waggons and escorted by a regiment under Major-General Skippon, left London, passed through York and arrived at Northallerton, where it was paid over amidst the roar of artillery.

*Dec. 16th 1647*

*Jan. 14th*

*Jan. 22nd*

15. Before this could be effected, the King attempted to escape from the hands of the Scots hosts. One of his attendants arranged that the Paudon Gate should be left open after the usual hour of shutting. Coming down from the King's bedchamber, he gave the password, but was detained by the officer on duty in a conversation which lasted three hours! The somewhat apochryphal Dutch man-o'-war had to leave the Tyne without him.

16. A question had arisen as to what formalities should be observed in receiving the King from the Scots. Some suggested he should be handed with the keys of Newcastle and the receipt for the money. The Committee sent by Parliament to receive him, included Lords Pembroke, Denbigh, and Montague, with Sirs John Cooke,

James Harrington, Walter Erle and John Holland. Mr. Carew and Major-General Brown found him playing chess, his favourite game (at which he could gratify the subtilty of his nature). When he knew what had happened he said: "I am bought and sold!"

18. His stay with his Northern subjects had not been made any too comfortable. Deprived of the attendance of his Anglican chaplains, he had been compelled to rely upon the administrations of those attached to the Army. Dr. Henderson undertook to convert him to the opinion once expressed by James I that the Kirk of Scotland was the "sincerest Kirk under heaven", but failed. On one occasion when the LII Psalm was given out:

> "Why dost Thou, tyrant, boast thyself,
> Thy wicked works to praise?"

Charles had wit and courage enough to rise up and give out the LVI:

> "Have mercy on me, Lord, I pray,
> For men would me devour."

18. Parliament had decided that he should at present reside at Holmby House, which had been set aside for his occupation as Prince of Wales. This journey of one hundred and sixty miles was more like the triumphant progress of a conqueror than that of a captive King. Escorted

by the Commissioners and a troop of nine hundred horse, his path was lined with men and women of all sorts and conditions, many with tears in their eyes as they acclaimed him with joy and prayed for his preservation; and sufferers from the "king's evil" were brought to be touched by him. At Nottingham he was met by Fairfax who, alighting from his horse and kissing his hand, rode by his side through the town. At Holmby, he enjoyed greater personal comfort than with the Scots. He was surrounded by his old attendants, whose services he must have missed during his eight months' sojourn with Lothian, But there was no doubt he was still a prisoner; he was quite as closely guarded as at Newcastle; he was forced to be content with the Scots divines, Marshall and Caryll; and, while treated with the consideration due to royalty, he was not allowed to go abroad farther than Althorpe or Harrowden, at which latter place he frequently played at bowls.

19. Parliament still disregarded the warning note uttered by Cromwell after the battle of Naseby. They wished to disband the Army by which their liberties had been preserved. This being done, they would be free to make terms with the King, and to hand over those who brought about the present position to be dealt with as rebels at the King's wish. But the men who had laid aside the yard-wand and the plough-stilt,

for the musket and the sword had ceased to be mere mercenaries; becoming patriots in favour of republicanism, the sovereignty of Parliament, elected by universal suffrage, annually or biennially, and the codification of the law, coupled with perfect religious and political freedom, they objected to this high-handed action.

20. The first attempt to put in force a vote passed for disbanding the Army was made in South Wales, where Colonel Mytton was to form a troop of 1,000 men for the Irish service out of the local forces, on which fourteen officers petitioned against it, and their example was followed generally in the Army, with the addition of a demand for the creation of a fund for the relief of those who had been disabled in the service and of the widows and orphans of those who had been killed. These demands were but fair; had there been Villiers or Hamiltons in their ranks, they would have been superfluous. A resolution was smuggled through the House declaring that all such petitioners should be considered as disturbers of the public peace. Fairfax, at this time was anxious to lay down his command, being invalided in London; but hearing that he was able to ride on horseback in Hyde Park, Parliament ordered him to rejoin his regiment and put down any such agitations, by force if necessary. Commissioners were sent down to Saffron Walden,

*Mar. 4th.*

*Mar. 23rd*

*Mar. 30th*

*Mar. 21st* with the result that Lieutenant-General Hammond and Colonels Hammond, Pride and Lilburne were ordered to appear at the bar of the House; Ireton was to hold himself ready to be examined, and two subalterns were arrested. So widely spread was the feeling of dissatisfaction that a Parliament of soldiers was held at Bury St. Edmunds, (to meet the expenses of which every soldier made a contribution of four pence) at which it was agreed amid cries of "Justice!" that the various head-quarters should be brought closer together, and that a general rendezvous should be held on June 4th. On this, Ireton and Skippon were sent down to enquire into their grievances and promised them justice. On the return of the officers, Parliament found eight weeks' pay and gave bonds for the remainder. Skippon then showed the House a letter presented to him by three troopers, Sexby, Allen and Sheppard, in the names of eight troops of horse, complaining of the scandals raised against the Army and their proceedings by many persons, who treated them as enemies; of the designs against them and the godly party, and adding that they would not serve in Ireland until their claims were met. On being examined as to this letter, and being asked whether any officers were concerned in it or not, these troopers replied that it had been agreed to at a rendezvous of the regiments and that the officers knew little or nothing about it. On being

asked as to the meaning of "certain men aiming at sovereignty", their answer was that, as it was a joint production of the regiments, they would take written questions and bring back answers.

21. This is the first we hear of that powerful organization, the "Agitators," which played so important a part during the next few months. Eight regiments out of ten elected two troopers to form a sort of council, subordinate to the Council of War (composed of field-officers, with whom they afterwards sat) to deliberate upon all matters connected with the welfare of the Army, having a voice in public business equal to that of Parliament, which they claimed to have saved from destruction by King and Cavaliers. To meet the necessary expenses, each soldier in the Army, contributed 10*d.* a day. Increasing in importance, Fairfax tacitly allowed them to issue manifestoes signed by "John Rushworth, appointed by his Excellency Sir Thomas Fairfax and the Council of War."

22. *Apr. 15th* Two hundred officers met Fairfax in the church at Saffron Walden, to give an answer to the Commissioners who had been sent down on March 21st and had received no reply as to the Irish service. They wanted to know what regiments would be sent across the sea; who was to lead the expedition; to what extent their arrears were to be paid and what security they were to have for their pay. And

said that if they received a satisfactory answer, they were willing to serve under Fairfax, Cromwell or Skippon; but demanded that the field-officers should be men of ability. He then agreed to place their protests before the central council meeting at Bury, and to report them to Parliament, whom he would advise to treat the Army with consideration.

23. That august body was growing alarmed at the turbulence of the Army, and passed an ordinance (Lords, May, 27th; Commons, May 28th) that the present standing Army be forthwith disbanded, giving the men the option of serving in Ireland. This was to take place on June 1st, and the soldiers were called upon to appoint separate rendezvous for the purpose. Knowing his great popularity, Parliament had sent Rainsborow to

*May 31st* conciliate his regiment which had marched in a state of mutiny from Hampshire to

*May 28th* Oxford, whence Parliament had but recently removed a large park of artillery, lest the Agitators used them against them. This he managed without difficulty. Of all the commanders, Fairfax was placed in the most difficult position. Being swayed by his intense love of justice, which made him lean towards the cause of the soldiers, he found it hard to yield implicit obedience to

*May 31st* the dictates of Parliament. He called a Council of War at Chelmsford, to meet the Parliament delegate, Colonel Jackson, and arrange for a rendezvous; but the officers used this as

means of frustrating the disbanding: and, in the confusion, the men forced their way into the lodgings of their lieutenant, whom they threatened to shoot, carried off the regimental colours, and went towards Newmarket. Jackson overtook them at Braintree, where he was greeted with the cries of "Here comes our enemy!" After reading his orders, he was asked "Why did he bring his twelvepenny ha'penny pamphlets with him?" They then proceeded to Kenford Heath (near Bury) where they were joined by Cromwell.

24. The Presbyterians in Parliament were fighting hard to maintain that position which the possession of the King's person promised to give them. Cromwell complained to Ludlow of being obliged to serve such a Parliament; for he saw that they were bent on undoing all that had been done during these years of effort to "right the wrong." Without the Army the King would have no difficulty in reinstating himself on the throne in all the "splendour of his ancestors." Three times did the Army urge Cromwell to help them: "if you would not come forthwith, nay presently, come and head them, they would go their own way without you. They are resolved to do so, for they did see Presbytery, Loudon and the Scots go in such ways as would beget a new war and very fatal also." It was only on receipt of this third summons, when Cromwell knew that Parliament was negotiating a fresh invasion from

Scotland to release Charles from Holmby and to render futile the struggles of the Civil War, that he left Westminster in haste and put himself at their head. Whatever he did, it was with the wish to save Parliament. On arriving at head-quarters, he ordered the men to disband or serve in Ireland; in either case, they (officers and men) were to receive two months' pay (less a deduction for free quarters) on production of horse and arms; unless they could certify that they had provided them at their own cost, or had lost them in action. This called forth a remonstrance, the "Humble Representation", on the part of the Army, complaining that eight weeks' pay was far short of what was due to them, and what they should receive considering the immense amounts received from delinquents; that there was no mention of any service previous to the establishment of the New Model; that three shillings a week was too much to charge for quarters, as it would rob the officers of one-third of their pay; that the Excise was not good enough security of their pay, as it was too unpopular a tax to be readily gathered in (and was already heavily mortgaged), and that there was no allowance made for time lost in the indentures of apprenticeships, or for providing for the widows and orphans of the slain. For their own protection they entered into a "Solemn Engagement" that they would cheerfully disband or enter the Irish service, if those

*June.*

who did the former would be protected from molestation for all former acts as well as for signing this engagement. Should they be suspected of any "License as regards Religion, any attempt to overthrow the Magistracy, to suppress Presbyterianism or to set up an independent government", they were ready to answer for it before Parliament. Parliament was beset with crowds of Reformadoes* who beset the streets, clamouring for the settlement of the arrears of the Army, which they placed at £10,000. The following notice was found attached to the door of the Palace at Westminster:

*June 2nd*

"All gentlemen commoners that enter herein
To do justice to all men; who will then begin
To pay all those that have for you fought;
If long you delay, sure all will be naught."

The City now demanded that the Army should be got rid of, as it claimed to be master of the kingdom, and that the King might be accessible to all. Parliament now declared itself ready to regulate the accounts of the Army and raise money to pay them.

25. For two months did Parliament carry on fruitless arrangements with the Army. They applied to the city for a loan of £200,000, not to pay arrears, but to provide funds for

* Military officers deprived of their command; but retaining their rank and even pay; or retained in a regiment after their company is disbanded.

future operations in England and Ireland. As the war fever (never strong in London, save when caused by financial complications) had abated and the citizens were anxious for peace, difficulties were thrown in the way, and Parliament was constrained to make a levy of £60,000 a month on the whole of England till an arrangement could be arrived at; one point of which was that future lenders should be entitled to benefit by unpaid interest being treated as capital. The City wished that this fresh loan might be secured upon episcopal lands and payments for composition for delinquency. Parliament objected to the security, but, in the end, gave way as to one-half of the amount. Besides this, the City was to have control of the Militia, by of means of a committee of thirty-one persons (including seven aldermen and nine common councilmen, three of the former and six of the latter to be in any quorum), and was to receive £12,000 to pay for guards for Parliament and to garrison the Tower and other local forts. To celebrate this triumph, a sermon was preached in St. Lawrence Jewry.

26. The Scots still hoped that the King would sign the Covenant; but on this one point he was firm. The Lords voted that he should be invited to live at Oatlands, to which the Commons agreed; and a correspondence was entered into with Colonel Graves to make arrangements for the change. This allowed a ray of

hope to enter into the King's heart; many thought it was the beginning of a better understanding with the Parliament; such a thought was but vain; subtilty and kingcraft alone would have prevented any such understanding being arrived at. And it did not please the Army, as they saw that the united King and Parliament would resist their claims.

27. While the King was playing at bowls at Althorpe, a stranger approached (accompanied by some troopers in the uniform of the general's guard). The King was quickly hurried back to Holmby. In the meantime, a certain Cornet Joyce who had been closeted with Col. Greaves and two Scots lords, told them that the Army was not satisfied with the declaration of Parliament and Act of Indemnity, adding that many soldiers had been molested and that it was hard they should taste the cruelty of that Parliament, which they had preserved. He also warned the Colonel that there was a large body of horse close by. On this, the two Scots lords escaped: one to France and the other to the North. Lord Middleton asked Joyce who was the commander of these strange men: "We are all commanders," was the reply. Joyce stately boldly that he had come to take the King from the custody of Parliament as the only means of preventing further bloodshed, as an army was being prepared to destroy that under Fairfax in order to delay justice

being done to the demands of the soldiers before disbanding them; and that he sought to bring those men who had subverted the laws to condign punishment lest they should destroy King and Parliament to set themselves up.

"The Commissioners would know to whom I allude." While Major-General Brown hastened to warn the King, Greaves made good his escape. The Commissioners seeing the garrison fraternising with the strangers, strove to call in the neighbouring gentry to guard the King, but failed.

In the course of the evening, Joyce returned to obtain instructions from the Commissioners, whose Parliamentary authority he still acknowledged. On this Brown (probably the senior in command), finding he had lost all control over the garrison, told him to set his guards for the night, and to give him his orders and authority in writing. At midnight, he demanded an interview with the King; saying there was a design to receive him by force and to break off negotiations with the Army; as some of the members had said: "It is come to this, the Army will sink us, or we them." He added: "We understand well enough what we do Now, let the world judge what is done and who is in fault; and those who seek peace and justice, or war." On promising to use no violence, his request was granted. Confining the Commissioners to their own apartments (placing sentries at their doors), he proceeded to the King's chamber,

holding pistol at full-cock in his hand. Charles had a long conversation with him, thinking the opportunity had come to play the Army against Parliament, and consented to accompany his strange visitor, if the soldiers would act up to the words of the Cornet. At six in the morning, the troops were drawn up in the courtyard; but Charles, anxious to save the appearance of free consent, asked Joyce by what authority he acted:

"Sir, I am acting by the Authority of the Army, to prevent the designs of its enemies, who would once more plunge this kingdom into blood."

"That is no legal authority; I acknowledge none other in England, save my own, and after me, that of Parliament. Have you any written warrant from Sir Thomas Fairfax?"

"I have orders from the Army and the General is comprised in the Army."

"That is no answer; the General is in command of the Army. Have you any written warrant?"

"I beg your Majesty will question me no farther; I have said enough already."

"Come, Mr. Joyce, be frank with me; tell me where is your commission?"

"There behind me," was the answer as he pointed to his troops.

"Your instructions are written in very legible characters; you have a company of as proper handsome gentlemen as I have seen a great while. But, you must know, if you would take me hence,

you must use force; unless you promise I shall be treated with respect and that nothing shall be required of me against my honour and my conscience."

"Nothing!" they all exclaimed.

"We should be most unwilling," added the Cornet, "to force men to act against their conscience, much less your Majesty."

"Now, gentlemen, for the place you intend me to go."

"To Oxford, Sir."

"No, the air is not good."

"Then to Cambridge."

"I would sooner go to Newmarket; it is an air that has always agreed with me."

"As you please, Sir."

29. As the King left, Lord Montague inquired of his fellow-commissioners as to whether they were agreeable to the change in the situation. One of them, Sir John Cooke, who would have resisted, had the garrison remained true, only yielded to the force of circumstances. The rest remained silent; three mounted the King's coach and the rest followed on horseback.

30. This journey from Holmby was vastly different from that from Newcastle. It was the progress of a captive from whom nothing could be expected. He stopped at Hinchingbrook (formerly the seat of the Golden Knight, Sir Henry Cromwell, then in the possession of Lord

Montague) and went on to Childersly, between Huntingdon and Cambridge, where he was waited upon by Fairfax, Hammond, Skippon, Lambert, Rich, Cromwell and Ireton, all of whom kissed his hand save the two last. The Lord-General hastened to deny any complicity in the raid, and offered to give him an escort to enable him to return to Holmby, if he wished to do so. Charles refused to believe his statement unless he had the perpetrator hanged; adding, he had as much interest in the Army as had the Lord-General himself. Fairfax would have brought Joyce before a court-martial, but his boldness in executing the Scheme had made him the darling of the Army, and he was promised the first vacant commission. In the end, he rose to be Lieutenant-General. As the Country now felt that the Army was an important factor, Parliament was inundated by petitions against its being disbanded, especially from Essex, Bedford, Norfolk, Suffolk and Herts; the last petition being signed by twelve hundred residents and accompanied to Parliament by over two hundred knights and gentlemen.

31. This raid is one of the many mysteries that baffle the historian. Cromwell is generally credited with it; and, if his hand was in it, it was to preserve the Army that had fought for the liberties that England has since enjoyed and to checkmate a Parliament which had already made overtures to the King and begged him to

remove to Oatlands in order to be more accessible and to enable him to make a treaty with them for his restoration to the throne as King by Right Divine. Cromwell, always prompt in his action, lost no time in assuring Parliament of the devotion of the Army to the principles of liberty, "to the National Cause." Grimstone then charged him with trying to destroy Parliament; to this, he replied in his rough eloquent way, with such vehemence that he said (at the Restoration), "had he wished it, the House would have sent us to the Tower."

Parliament was not slow in assuring the King that "if he were not treated with due respect, it was not to be laid upon them; that they hoped he would soon return to London and complain of his abduction."

Fairfax was not pleased with the raid and said to Ireton: "I do not like it. Who gave such orders?" Ireton replied: "I ordered that the King should be secured at Holmby, not that he should be removed."

Cromwell afterwards told the Lord-General: "It was necessary, or the King would have been taken and had back to Parliament." All this seems to point to the fact that Cromwell and Ireton were implicated in the orders given to Joyce, but that the latter changed the course of history by exceeding his orders.

32. A few days after this, the Army held an important rendezvous at Thriploe Heath

*June 10th* near Royston. There were present some twenty-one thousand men, "the remarkablest Army that ever wore steel in this world." Field-Marshal Skippon, accompanied by Fairfax and Cromwell, rode from regiment to regiment demanding obedience to Parliament: to a man, they answered "No!". Skippon tried to win them over by reading the terms Parliament was willing to grant; complete indemnity for acts done during their time of service and the addition of £10,000 to the sums voted for the payment of arrears. To these, they refused to give any answer; they wished to refer all questions to the Council of the Army. Nothing could be heard save cries of "Justice!". It seemed clear that the supremacy of Presbyterianism over the nation was doomed.

33. The attitude of the Army encouraged the 'prentices and reformadoes to continue to patrol the streets, which alarmed the citizens, who strove to hasten the payment of arrears, and the disbanding of the Army who had so valuable a trump card as the person of the King in its hand. Relying upon an ordinance of January 17th, 1645, the City demanded leave to raise a body of cavalry for their own protection and, under a committee of public safety, authorized Poyntz, Massey and Waller to publicly enlist men for that corps.

34. While the City was thus engaged, three troopers in the uniform of the Lord-General's guards, presented a manifesto from the

Army, which would appear to have been the composition of Cromwell although signed by him in conjunction with Robert and Thomas Hammond, Waller,* Rich, Pride, Ireton,* Robert Lilburne,* Desborow, Lambert and Harrison.* It was a somewhat lengthy document, stating that "as by letters and representations presented by our General to the Honourable the House of Commons" it "endeavoured to give satisfaction of the cleanness of our just demands..." and demanding; the denial of all false suggestions and misrepresentations which had placed the Army under ignominy; the maintenance of privileges and liberties of Parliament and people; the prevention of a new war and of recruiting by the City of London; the speedy settlement of a peace; the payment of arrears; admitting there was no wish to alter the government; and expressing willingness to serve in Ireland or elsewhere and the determination to protect the City of London from plunder.

35. This was sent on to Parliament, who forbade the correspondence of the City with the Army, and ordered Fairfax not to approach the city nearer than he was at that time. In spite of this, the Corporation drafted a letter to the Lord-General, disclaiming any animosity towards the Army. A panic ensued, the Lord-Mayor ordered the shops to be closed and called out the Militia, with so little success that, in spite of the death-

* Also signatories to the death-warrant of Charles Stuart.

penalty being pronounced against all absentees, some companies mustered less than ten men, and in other cases only the officers were present. This futile attempt aroused the jeers of the bystanders and proved that the city was not in a position to fight. It was now that Parliament rescinded the privilege of raising men and agreed to permit the city to enter into a correspondence with the Army, on showing the letters to them. Later on, this last restriction was removed. On this, they wrote to Fairfax and the Council of War, disavowing any ill-feeling against the Army; adding that they were in a position to defend themselves, and the council was only enlisting men for the militia, trained bands and local forces. They begged Fairfax not to come nearer than forty miles from the City, lest such an addition to the population should disturb the price of provisions. This letter did not reach Fairfax till he had reached St. Albans, and he and his officers refused to treat while the city still enlisted men.

*London and Kingdom. June 12th*

*June 18th*

36. The temper of the Army was shown by a letter sent by Fairfax to Parliament, in which he maintained "their right to speak in the name of the English people and demanded the banishment of those who speak ill of it" (the Army) "as well as the expulsion of unworthy members." *

* Of these a list is given; Denzil Holles (Dorchester), Stapleton (Borough Bridge), Waller (Andover), Lewis (Petersfield, Clot-

The City hastened to assure the Army that the enlists of recruits had ceased; but the latter refused to withdraw until he had received a satisfactory answer from Parliament to the "Humble Representation", an enquiry into the charges brought against the Presbyterian members and a proof absolute that the City had ceased to carry on secret listing; as he was determined to preserve the freedom and liberty of Parliament.

37. Although the King had been invited to take up his residence at Oatlands, the officers at headquarters insisted upon him accompanying them from Newmarket to Royston, Hatfield, Reading, Windsor, Caversham (where he had interviews with his children, the Dukes of York and Gloucester and the Princess Elizabeth) and Woburn Abbey. Here he was waited upon by several noblemen, in spite of the ordinance that none of his adherents should be admitted to his presence.

38. Charles was delighted with these differences between his enemies, and thought that he could act alone to his great advantage. He boldly announced his intention of going to Richmond and, mounting his horse, threatened the life of any who should hinder. At his new

worthy (Maldon), Recorder Glynn (Westminster), and Nichols (Bodmin) among the original members of the Long Parliament; and Massey (Wootten Basset), Long (Ludgershall) Harley (Herefordshire) and Maynard (Lostwithiel) among the "Recruiters."

residence, he enjoyed a greater amount of liberty than before, his favourite chaplains, Drs. Hammond and Sheldon, administering the Anglican rites to which he had long been a stranger. To the latter he gave an undertaking that on his restoration he would give back to the Church all empropriations held of the Crown, and would pay an annual rent, to be fixed by some conscientious person "whom I propose to choose with all uprightness of heart to direct me in this particular", for all for the episcopal and abbatial lands held by the Crown. And here he was visited by all sorts and conditions of men; Cromwell, Rainsborow, Hardresse Waller, Ireton and the principal officers and agitators. Ireton told Berkeley privately that he had certain propositions to place before the King and requested an interview for the purpose of preparing him for hearing them when they were placed before him by the Army agents. They were not unfavourable as between a victorious Army and a conquered King: providing that—

1. Peace should be made between King and Parliament:
2. A general act of oblivion should be agreed upon, the names of seven chief delinquents (to be named) excepted:
3. All civil and coercive power should be withdrawn from the bishops:
4. Parliament should have the control of all

land and sea forces for seven years; and the nomination of the officers of state:

5. Anglicanism and Presbyterianism should be debatable subjects, and papists should have full liberty of conscience:
6. No peer created since the outbreak of the war should enjoy his legislative privileges:
7. Cavaliers should be ineligible for the next Parliament; and that
8. all monopolies, commercial and judicial, should be abolished.

Somewhat similar conditions were offered by Parliament; but as a rule the Presbyterians were content with the existing state of things, while the Independents, being anxious to bring legislature under proper control, demanded that no dissolution of Parliament should take place without their own consent. Besides these, were other clauses which Ireton refused to place before the King; the abolition of the two negations (the King and the peers); the early dissolution of the present Parliament, which was to be succeeded by biennial assemblies, elected by reformed constituencies of populous towns instead of by decaying villages, strongholds for King and cavaliers.

39. Judging others by himself, Charles saw in the advanced opinions of the Independent Army and the reactionary principles of the Presbyterian Parliament signs of weakness in both, and refused to agree to the proscription of

seven of his party, dating all his troubles to his sacrifice of Strafford; he also made an exception to the proposed change in Church government (regretting the abolition of episcopacy in Scotland) and the political incapacity of the cavaliers. In vain did Berkeley point out to him that a crown so nearly lost had never been regained on such easy terms.

Charles: "If they really wish to come to terms with me, they would offer me terms I could accept. Without me, these people cannot extricate themselves; they will soon be glad to offer me more equitable conditions."

Ireton: "You wish to arbitrate between us and Parliament; we intend to arbitrate between you and Parliament. There must be some difference between conquered and conquerors."

Then Charles to the officers:

"You cannot do without me; you will fall to ruin if I do not sustain you." Scarcely had he utttered these rash words than Berkeley whispered in his ear:

"Sire, you speak as though you had some hidden strength and power I know not of; and since you have concealed it from me, I wish you had concealed it from these men."

He then tried to withdraw them; but it was too late: Rainsborow, a Leveller and the least accommodating of all the officers, rushed back to the Army. Quoth Ireton, "If your Majesty has a

game to play, you must give us liberty to play ours too." Afterwards he told Hutchinson that the King *gave words* and was answered back in his own coin, "having no intention to do good to the people, but to gain by factions what he lost by fight."

40. The King's advisers were as much astonished as were his enemies. No doubt he was buoyed up with hopes from his secret negotiations. Early in the year, the Pope had promised to provide £36,000 for his cause, on condition that the Irish Catholics should enjoy perfect liberty; that the city of Dublin should be garrisoned by Catholic soldiers; that Ireland should have an uncontrolled Parliament; that the Supreme Council of Ireland, after sweeping out the Scots and Parliament troops, should land at least, 1,200 foot and 2,500 horse to be commanded by Catholics in England; while the convocation of Catholic clergy of France had already voted £150,000 towards the payment of 300 foot and 200 horse under the Duke de Bouillon; the security for payment being the Channel Islands, which Mazarin was anxious to secure. To the Queen, Anglicanism, Presbyterianism and Independency were simply empty terms and she still urged the King to accept the Covenant, if the Scots would admit Montrose and agreed to the treaty about Ireland; the question, too, of the Militia and Parliament she treated as worthless. If the Scots,

rejected these terms, Bellièvre was to approach the Independents; but she saw that no success could be obtained unless the Parliament sections were made to quarrel with each other, when the King could bring up his aided by the French mercenaries, the Irish Catholics and the Cavaliers to keep the balance in his favour. Had Charles been able to read the times, he would have rejected these quibbles and accepted the Parliament proposals; in doing which he would have retrieved the situation, for Cromwell would have supported him against the Levellers, who now began to name the King as the Chief Delinquent, guilty of all the blood that had been shed.

41. Besides these hopes, Charles had great thoughts of the influence of the City of London, now beset with reformadoes, acting on his behalf, if not in his interest. On the Monthly Holiday of the Apprentices, they burst into the House of Commons and prayed that the eleven members who had been expelled (or, to speak more technically, granted six months' leave of absence) might be recalled, and that all prisoners should have a speedy trial. On the following day,

*July 21st* they petitioned for the establishment of the Covenant, the repression of conventicles and the restoration of the King. The same lads met at Skinners' Hall and signed an undertaking to maintain the Covenant and restore the King on the conditions of May 12th. On this,

the Agitators demanded that the Army should march on to London; but Fairfax saw this was the last resource of men who would involve him in the ruin; remaining quiet, he left all to Ireton and Cromwell, who saw the folly of it—and refused to carry it out. To prevent the readmission of the eleven members, the committee for the militia was dissolved and Independent officers were appointed in their place, on which a posse of 'prentice lads presented a petition to the Corporation condemning the action of Parliament. The few Lords who were in their places, according to the wont of the "gilded chamber", quickly withdrew the obnoxious measure. The Commons took a firmer stand; the lads entered the House, with their hats on, crying "Vote! Vote!". Although the members knew that they were dependent upon the city for their guard, they refused to obey until the Speaker was forced back in his chair and compelled to put the question "whether the King should be permitted to return in honour and safety to London?" Ludlow had the honesty to cry "No!"; the other members remained silent. Massey and Poyntz again began to enroll recruits.

*July 26th*

42. When Fairfax heard of these disturbances, he wrote to the City from Bedford, saying that he looked upon the Corporation as the real disturbers of the peace. This letter was received at 11 p. m.; and the City immediately replied

denying any participation with the rioters at Westminster, as the uproar had been caused by the withdrawal of the control of the militia, which had rendered them powerless to maintain public order. *July 28th* Sending a justification of their action to Fairfax they deprecated any right of the Army to meddle with the affairs of the city, especialiy as touched the militia, as it was their duty to guard Parliament without giving offence to anyone. To show their earnestness, they ordered a public fast; appointed three ministers to preach at St. Michael's Bassishaw, entreating God to withhold his righteous indignation from the city and nation; raised a loan of £20,000 upon the security of the city seal to enable them to withstand any attack from the Army; empowered the committee for the militia to seize horses within the lines of communication; sent the 'prentice lads and the militia to the works on which they had already mounted guns; and ordered a general muster of able-bodied men, not on the roll of the trained bands, and forbade Fairfax to approach *July 30th* within thirty miles. On the following day, the Common Council appointed Massey to the command of the militia and entrusted the defence of Windsor Castle and the Blockhouses at Gravesend and Tilbury to troops under Brown, Waller and Poyntz. During the excitement a proclamation was made by a blast of trumpets at every street corner, inviting the King to return.

43. The eleven members took their seats: Sir Walter Erle was sent to tell the Speaker that the house (adjourned since July 27th) was in session. Neither Manchester or Lenthall could be found: to proceed to business the two Houses placed Lord Willoughby de Parham * and Mr. Pelham in the respective chairs. As the maces were likewise with the Army, the Commons borrowed that of the City. The Presbyterians were prepared to die.

44. Fairfax was determined to defeat the Presbyterian faction. He moved from Bedford to Hounslow and quartered his troops in the neighbouring villages of Twickenham and Brentford, without the least interfering with the delivery of farm produce to London. It was here that the officers found the Army when they returned from their fruitless negotiations with the King; and, to their surprise, within the camp were the Speakers and divers members of both Houses; † who had been received by the soldiers with acclamation. The legislators declared that the vio-

* Haydon, in his "Book of Dignities," gives Lenthall as Speaker 1640-53. Pelham's name only appears in the Journal of the Commons on the date of his election. Lord Willoughby appears to have presided over the Lords on July 30th and 31st; the other Speakers during Lord Manchester's absence with the Army (July 30th—Aug. 9th) being Lords Lincoln and Hunsdon.

† Holles places their numbers at eight Lords and fifty Commoners; while Rushworth states there were fourteen of the former and 100 of the latter.

lence of the mob had compelled them to leave Westminster; and the Army was pleased to be called in to arbitrate between the two factions of Parliament. This reception, which probably saved much bloodshed had been arranged with difficulty by Harry Vane and Lords Manchester and Warwick, through the mediation of Cromwell and Fairfax. Both the Speakers were moderate men; Lenthall being considered as without malice towards King and episcopacy; Manchester was the parliamentary general superseded by Fairfax on the institution of The New Model. The Army, declaring they would live and die with Parliament, provided the refugees with quarters and a guard for their protection.

45. When the City knew that the members of both Houses had found an asylum in the camp, a panic prevailed and all the shops were closed. The Independents were afraid to walk abroad lest they should be murdered; there being a rumour that the King and the Army had come to terms and that both Houses were with the latter. Afterwards, encouraged by the approach of the Army, they caused a declaration that the signing of the agreement of July 21st was treasonable.

46. Not unwilling to take advantage of the disturbed state of the city, Fairfax advanced as far as Colnebrook, where he found six aldermen who had been sent to join the committee

that had been with the Army since June 28th, to use their influence in protecting London against attack and plunder. The general pointed out that the raising of forces to be drilled under the direction of reformadoes was in itself an act of hostility against Parliament. The aldermen then said that the present crisis had been brought about by the action of the two Houses and not by the City, which had been deprived of all authority and was by no means responsible for the promotion of petitions and engagements, but was anxious for peace and desirous of protecting Parliament (which had been rendered difficult by the removal of the command of the militia); and that the appointment of Massey had been necessitated by the approach of the Army. To this was replied that the Speakers and members of both Houses had been driven from Westminster to seek protection in the ranks of the Army by the hostile acts of the City, and that they would always welcome any member who could not remain in his place in safety; that the Army intended to march on London to maintain the authority of Parliament; to reseat the Independent members and to impeach the eleven Presbyterian members.

47. To secure his entrance into London, Fairfax sent Rainsborow before him with horse, foot and artillery to march to the Tower, by way of Southwark, which he entered without difficulty. A mob broke into the Guildhall, where

Poyntz was busy enlisting men, and this caused him to lose his temper to such a degree that he drew his sword upon the "whining multitude" and "slashed several persons, whereof some died." Yet he did not desist until his scouts returned from Brentford with the news that his gallant 'prentices had been beaten back with the loss of their flag, and that the Army was in reality marching on London. In the end, the City sent a letter to Fairfax, begging him to consider the proclamation of July 21st as withdrawn, and to garrison the forts between St. Giles and the river.

48. Fairfax received the submission of the City at Holland House; after this, led by Fairfax, Cromwell, Ireton and Skippon, the New Model marched three deep in solemn state, with laurels in their hats, through the City. At Hyde Park Corner, they were met by the Lord Mayor and aldermen on horseback, who congratulated the General on his arrival, besought him to pardon the acts of the City, which had been done in their anxiety for peace, and offered him a gold cup, which he refused. He also complimented the élite of England's troops, the like of which she can never see until she sees a new Cromwell.* At Charing Cross, Fairfax spoke to

* "Il y avoit longtemps qu'on ne voyoit plus des Rolands parmi les Francois." "Sachez, que vous ne manqueriez pas des Rolands, si les soldats voyoient encore un Charlemagne à leur tete." *Histoire D'Ecosse, Boethius.*

the Common Council, who had proceeded thither by boat, exonerating them from all blame. As they all marched to the Tower (Fairfax being Constable), each man received a gratuity of a month's pay from a grateful Parliament. Not a single insult was offered to them, nor did these patriots in the heyday of their success commit one single act of violence. Their fugitive members took their seats, and annulled all that had been done in their absence. It is true that the Eastern Association was not broken up, but the fortresses at Newport Pagnel, Cambridge, Huntingdon and Bedford were ordered to be slighted, lest they should be used by the Royalists; their garrisons being drafted off to Ireland. Perhaps, the most important step taken at this time was the removal of the Headquarters of the Army to Hampton Court, which boded ill for the King.

49. Of the eleven members, Glynn was deprived of his recordership; Maynard was impeached for high treason; Holles, Clotworthy and Massey were ordered to take their seats; and Gair, (Lord Mayor) and Aldermen Cullam, Bunch, Langham and Nichols were sent to the Tower; while Lords Suffolk, Middleton, Berkeley, Maynard and Willoughby de Parham were committed to the custody of Black Rod. The defences of the City were dismantled, and the control of the Militia divided between the City, Westminster, Southwark and Tower Hamlets.

50. Amid these stirring times, Cromwell found leisure to attend to his Parliamentary duties, and divided three times on the question of Presbyterianism. Twice he was not ashamed to be found among the minority: once he was in the majority:

"Whether it should be limited to three years?" negatived by 73—13.

"Whether it should be limited to seven years?" negatived by 68—8.

"Whether there should be a time limit?" affirmed by 60—14. Finally it was agreed that it would be limited to the end of the next Session: before that was ended, the Rump had taken the place of the Long Parliament.

51. In the midst of its triumph, the Army found the proverbial fly in its pot of honey. As they marched through London, they were aggrieved that their darling—"Free-born John" (Lilburne), had not been liberated from the Tower. Besides this, they were neither pleased that the leading M.P.'s were in the habit of visiting the King, or that the King's confidantes, Ashburnham, Berkeley, Apsley and Ford, were continually riding backwards and forwards between the King and the Headquarters. Cromwell was especially placed in a difficult position; he had to consider many interests besides his own. Can it be wondered at that a country gentleman, a descendant from the same race as the King himself; a firm believer

in the monarchical system, should have believed that Charles Stuart could yet by adversity learn (if he had not yet learned) to fulfil his favourite expression "On the word of a King" or "according to the known laws of the land"? In either case he would not have had a truer supporter than the great Cromwell. And Ireton told the King that he was ready to purge the House till it would be loyal to him. Such men could have but little in common with their followers, who knew nothing of responsibility until they had received their commission. The Levellers could not understand this patient negotiation, accompanied by silence and waiting. They could not conceive that Cromwell did as much in his quiet way as any one in frusfrating the attempts of the King to raise the Irish Catholics under Ormonde. His chief enemy was John Lilburne, who enjoyed a certain amount of freedom and steadily promulgated the information he received from Royalist prisoners in the Tower that Cromwell was about to conclude a treaty with the King to his own personal advantage. He wrote to Cromwell: "If you despise, as hitherto, my warnings, be sure I will use against you all the power and influence I have, so as to produce in your fortunes changes that will not please you." Cromwell's only answer was to strive more earnestly for his liberation, and to endeavour to prevent Ashburnham frequenting headquarters; at the same time he assured

Charles of his fidelity to him: "If I am an honest man, I have done enough to convince his Majesty of the honesty of my intentions; if not, nothing will suffice." Every labourer is worthy of his hire: common report accredited Cromwell with the desire to receive from the King the earldom of Essex (extinct by the death of Robert Devereux), which had been held of his reputed kinsman, Thomas of that ilk,* the Collar of the Garter, the chief command in the Army and a colonelcy in the King's Guards. A modest reward when compared with that promised to the Earl of Glamorgan. But there was a reverse to the medal; should the King in the excitement of his restoration spare his head from the block, there was still the assassin's knife! But all chance of peace with the King was put an end to by the discovery of a letter written to Henrietta Maria, in which Charles said that the only collar he could hope to receive was the hempen collar of a traitor! Little did Charles reck that such letters would lead him to the block.

52. The regiments commanded by Cromwell, Ireton, Fleetwood and Rich presented a signed petition, entitled the "Case of the Army," in which they complained that those who had signed the "Remonstrance" had been drafted into the Irish Army, and preparations were being

* Cromwell's forefathers signed themselves Williams alias Cromwell.

made to disband them before any of the grievances specified by the Council of June 5th had been remedied. It added that they were being betrayed by their officers acting under the influence of the House of Lords. Presbyterians and royal officers, all of whom had been led away from the path of duty by ambition and the love of gain and power. To preserve themselves, they called upon the soldiers of other regiments to resist any attempts at disbandment or dispersal until all injustices had been remedied and a real reformation carried out in Church and State. To ensure this being done, the present Parliament should be dissolved within eight or nine months from that time; that its successors (elected by universal suffrage) should be either annual or biennial; that they should have no power of adjournment and should automatically cease to exist at the end of a stated term: and have the power of appointing and calling to account and removing all public officers and governors. They also demanded the abolition of all monopolies and accusations by interrogatories; that the laws should be codified and reduced to the compass of one volume and that a fixed sum should be annually devoted to the necessary expenses of the State and the payment of the Army. As to the last, this was a real grievance, as they had not received their full pay. Thus far, the "Case for the Army" was fair and was chiefly remarkable for its sturdy

republican tone; being an attempt to secure the government upon a purely Parliamentary basis; unfortunately, the succeeding clauses were wild and impracticable; the work of enthusiasts. They accused the government of maladministration of public funds, extravagances and carelessness, for with due economy all the public charges might have been met, and the millions (!) secreted in the cellars of the public companies might have been placed at the disposal of Parliament; while episcopal and church lands had been sold for less than their value, to remedy which it was proposed to rescind the sales and resell the property; a portion of the result being retained to pay military charges and the expenses of the state. These proposals were submitted to a council of officers and Agitators, then sitting in Putney Church and a committee of twenty, including Ireton, Hardresse Waller, Deane, Overton, Rich, Henson, Rolfe and Saxby, was appointed to report on it.

53. In spite of the endeavours of the officers, this feeling of dissatisfaction rapidly spread and a fresh paper, "An Agreement of the People," * was issued by the agents of sixteen regiments and addressed to the "Free Commons of England." Although not originally drawn up by Ireton, he modelled it largely after the "Case

* Printed as a separate tract; incorrectly given by Rushworth; see Goodwin's History of the Commonwealth.

of the Army." It had the advantage of being more explicit, providing for the dissolution of the then Parliament on the last day of September, 1648, to be succeeded by biennial Parliaments to be elected by universal suffrage on the first Thursday in March, to assemble on the first Thursday in April and to dissolve automatically on the last day of September in the year following. The Commons were to have the power of making laws and determining questions of peace and war and entering into treaties; of appointing, examining and removing all magistrates and officers (civil and military) without the intervention of any one person or body of persons; thus abridging the power of King and peers. It forbade the impressment of men for military service and the exemption of any one person from legal proceedings by tenure, charter, estate, berth or office, as being contrary to the principles of individual liberty; no one was to be questioned as to the part he had taken during the war. Public education was to be provided, but it was not to be compulsory, and Parliament was not to be entrusted with questions of religion.

54. *July 17th*

Both these differed materially from the "Heads of Propositions," which provided especially for the religious side. Admitting the existence of episcopacy, it abolished all the civil jurisdiction of bishops, relieving the civil courts of the onus of inflicting penalties for ecclesiastical

offences; did away with the necessity of subscribing the Covenant; repealed all acts prohibiting the use of the Liturgy, attending church, or suppressing conventicles, but provided for fresh enactments against recusancy. To reform Parliament, all Royalists were prohibited from sitting in it; while all Parliament soldiers were to be eligible without further qualification. The present Parliament was to be dissolved; future Parliaments were to be biennial, the larger towns being represented; in no case were they to sit less than 120, or more than 240 days. A council was to be formed, in a manner not stated (presumably by the King's nomination) which was to be more powerful than the Privy Council, being free from royal control, in fact, a type of the modern Cabinet; capable of carrying on diplomatic relations, declaring peace and war, and superintending the militia under the approval of Parliament. The latter was to retain the nomination to military commissions during the lifetime of Charles. Parliament was likewise to have the appointment of administrative officers for ten years, after which the King was to select them from three names given him by Parliament. No peers, created since May 21st, 1642, were to sit without consent of the Commons, and in no case were the judicial decisions of the Lords to be binding upon the Commoners without the consent of the elective House. Only five delinquents were to be dealt with by Parliament, and the terms

of compositions were to be made easier and more lenient. After the expiration of the second Parliament, Royalists might sit in either House, and after five years could hold office without the consent of Parliament or Council. Charles still refused to consider this mutilation of the military power of the Crown.

55. This paper was largely discussed at the Council in Putney Church. Rainsborow was in favour of universal suffrage: "The poorest He that is in England hath a right to live as the richest He." Ireton contended that none but those who had a stake in the country should have a vote. Rich said that would give the right to five men out of six, that it would make the most popular man a dictator, and that avoiding kings it would not be necessary to create emperors to deliver people from tyranny! Saxby said that thousands of soldiers had sacrificed all for their country, their liberties and their birthright. To this, Ireton retorted that rather than destroy a good constitution he was willing to part with his birthright. Cromwell was in favour of extending the franchise to copyholders, on which Rainsborow proposed that the whole question should be referred to a general rendezvous of the Army. To this, Cromwell said that as he held his commission from the Lord-General whom he was bound to obey, he denied the right of any man to call for a rendezvous of any troops or regiments that might

prove to be a source of embarrassment to the chief in command, and as Royalists were already saying that the Army would hang himself if they were given enough rope, and he did not wish to encourage anarchy.

56. *Nov. 1st* At the adjourned meeting. Cromwell demanded that expression should be given to the thoughts God had given in answer to their prayer for unity. Many said that they were willing to abolish the two Negatives. Others said they were unable to pray, as formerly, that the rule of the King should be made a blessing to the people; others, again, said that they could not hope to regain their liberty save at the point of the sword, "as their ancestors had done from the Danes and the Normans."

Colonel Goffe demanded that the House should be purged till it was obedient to the voice of the Army, and declared the King to be guilty of all the blood that had been shed and answerable for all the treasure that had been wasted; still he thought that the King might be restored if he would confess to being the Chief Delinquent. And the voice of fanaticism was not absent. The same speaker said that their duty was to obey the voice of God, and it was clear that they had done wrong in tampering with the Lord's enemies. Saxby objected to the attempt to set up the King and the Lords. Cromwell thought that if the latter had not already existed it would be wrong

to create them. Captain Bishop thought they were in the wrong in attempting to protect the "man of blood and those principles of tyranny which God from heaven by His many successes has manifestedly declared against."

Cromwell was willing to protect the King's person, but not his power to annul the deliberations of the House of Commons, and said that the King enjoyed his power by a contract entered into with the Nation. Had Parliament been free from transgression, he (the King) would have been cut off; but that not being the case, the Chief Transgressor should be pardoned. "Either Parliament or no Parliament. If no Parliament, they were nothing, and we are nothing likewise; if a Parliament, it was the duty of the Army to make proposals to them." Before he could think otherwise, he must see it in the visible presence of the people, by subscription or representation; for in the government of a people, that which is to be sought for is their affection. He thought that while an Army was necessary to secure to Parliament the right to speak in the name of the nation without fear, armed men must not be allowed to dictate to that Parliament any views held by the few who might imagine them to be the opinion of the whole people.

57. *Nov. 2nd* On the following day a compromise was suggested that the Commoners of the Realm and officers of state and of justice

(whether Commoners or Peers) were to be answerable to the Lower House alone. It was also proposed that the franchise should be extended to all, save beggars and vagabonds. The "Agreement of the People" being accepted, it was decided to send a copy to the King, with a few amendments and suggestions. On the question being raised as to whether royalty was necessary in England and whether it was advisable to suffer it to exist. Cromwell contented himself with promising a discussion upon the subject at a future date; on which Ireton threatened to withdraw if the superior officers refused to allow the question to be put. Both the lieutenant-General and Ireton were unpopular at that time, for demanding a restraining power upon religion, which aroused the ire of "Free-born John", who was not slow to complain that the latter "showed himself an absolute King against whom no man could dispute.

*Nov. 4th.*

*Legal and Fundamental Liberties 1649.*

The Lord-General was directed to send a letter to the Speaker to dispel any idea that the vote for sending the "Agreement of the People" to the King was done to restrain Parliament in their negotiations with him; it was merely to maintain the right of the Army to sent propositions to assist Parliament to preserve its authority. This letter, revoking one by which the Army Council asked Parliament to abstain from negotiating with

the King without the knowledge of the Army, was considered by the Agitators as savouring too much of "tenderness" for Parliamentary privileges; and was objected to by the Levellers as taking the form of an application to that body. On being accused of causing this letter to be written, Ireton walked out of the church and declared he would not attend another meeting.

59. At this time, Cromwell's feeling for the King underwent a considerable change. Thus far he had endeavoured to save him; henceforth his aim was to bring Parliament and Army into line against him. The Levellers were now determined to appeal from the indecision of the Council to the whole Army, which, thinking it would be abandoned, now openly said: "Let my colonel be for the devil an he will; I will be for the King." Cromwell, to avoid anarchy, proposed that the officers should pacify the men by proceeding to their several commands to prepare for a general rendezvous. It was ultimately agreed that the Council should be adjourned till the end of the month, to prevent further distractions leading to the destruction of the Army, and to secure a larger attendance at future meetings at Putney, after the Rendezvous had been held at three places instead of one. Fairfax now saw that the "Troubles of England" were not ended, and could not end until discipline had been secured by regular pay of the soldiers, and proposed that

cathedral lands should be charged with the amount of arrears and with the future pay of the Army.

60. When Charles saw he could no longer negotiate with Cromwell, he turned his attention to the Scots Lords, Lauderdale, Lanark, and Loudon, who assured him that if he would agree in the main with the establishment of Presbyterianism (not to be enforced on him personally) the Scots would gladly help him. They went so far as to promise him an escort of fifty horse when he went hunting in Park, to relieve him of any feeling of Parliamentary restraint.

61. But, on the King's taking up his residence, he refused to give his parole not to escape, instructing Ashburnham to do so for him. Whalley, who had heard of prayers being offered up in a city church for the success of a "great design"; in other words, an attempted raid somewhat on the lines of that of Cornet Joyce, thinking that Ashburnham's parole related to himself only, begged the King to ratify it, which he refused to do; as he was in duty bound, he informed Fairfax of the fact, but not before there was a rumour in London that the King had escaped by the aid of 100 Scots horse. To prevent any surprise, the guards at Hampton Court were doubled, and the soldiers behaved in such a boisterous manner that the King complained

that the slumbers of the Princess Elizabeth were disturbed by them.

62. Both Ashburnham and Berkeley were now banished the court; but they were in communication with Legge and Dillon to contrive the King's escape. As usual, their opinions as to the best course were divided—Berkeley wished him to go to Jersey, and commissioned Ashburnham to find a ship for that purpose. Lanark, thinking the Channel would be too closely patrolled to admit of this being done, and that his hiding in London would be impossible, urged him to go to Berwick, where, if he would take the Covenant, he could negotiate on better terms with his enemies. Ashburnham said nothing, but formed his own plans. The two attendants rode to Putney, whither they had been to obtain passes, and Ashburnham told his companion of his plans to provide an asylum for the King in England, as he was unwilling to go abroad before the rendezvous was held; for, if the officers gained the day, they would act up to their agreement; if not, they would need the King's influence to maintain their position. The old game was about to recommence: Independents, Presbyterians, Parliament, Army, English, Scots, Officers, Soldiers were to become pawns on the royal chessboard. Berkeley was soon won over; Ashburnham then divulged his scheme of entrusting Colonel Hammond (Governor of the Isle of Wight) with the

King's person. This was somewhat precipitated by the King's perusal of a letter left about to come under his notice:

> "Dear Coz. Whalley,—There are rumours abroad of some intended attempt upon his Majesty's person. Therefore, I pray, have care of your guards. If any such thing should be done, it would be accounted a most horrid act. Yours, Oliver Cromwell.—On Thursday, November 11th."

Besides this, Charles learnt that the Agitators were determined to make away with him, and that their friends were to be on duty to facilitate their schemes. Leaving the palace at nine o'clock, he found Ashburnham and Berkeley awaiting him with horses at a given spot; the royal party arrived at Sutton (in Hampshire) early the next morning. Hearing that the Parliamentary Committee was in session, Charles refused to remain there, but went on to Southampton, where the ship to be hired by Ashburnham was to be in readiness. As it was not so, Berkeley advised him to go to the West, where his adherents were most numerous. At Tichfield, the residence of Lord Southampton, it was decided that the groom-in-waiting should take a letter to Hammond, pleading the peril of the King, a desire for peace, and satisfaction to all: "Let me be heard with

freedom, honour, and safety, and I shall instantly break through this cloud of retirement, and show myself ready to be Pater patriæ." It was a bold step; none of the courtiers knew Hammond save by repute; Ashburnham, being afraid he might be forcibly detained, advised the King (should he not be with him on the following day) to seek his own safety; and Hammond, accompanied by Captain Basket, the Governor of Cowes Castle, was introduced to the King. When the latter saw the Parliament officers at Tichfield, he said "Jack! Jack! thou has betrayed me!" The latter would have slain his companions, had not the King prevented it; as it was, the five men, friends and foes, (and it would be hard to say who were the King's best friends) went to Carisbrooke, where a fresh chapter of the life of the unhappy Charles began.

# BOOK III

## CARISBROOKE

## (1647)

1. THE news that Charles had thus suddenly left Hampton Court filled Parliament and the Cavaliers alike with dismay. Parliament was afraid that he had taken refuge in the city to await further complications, to guard against this, they passed an ordinance, making it treason for any one to give him shelter, searched the houses of suspected delinquents, who were banished beyond thirty miles of London, and closed the ports; the Cavaliers thought that he had managed to escape beyond the seas to collect a fresh Army.

2. It is yet an open question as to whether Ashburnham was justified in putting him under the protection of Hammond, who occupied an anomalous position, being a nephew of one of Charles' favourite Chaplains, by whom he had been introduced to the King when at Hampton Court and had been permitted to kiss hands, at which time, he had told Ashburnham that the Army was about to "break its promise to the King and that he would have nothing to do with such perfidiousness," but the Isle of Wight was

considered as too far from London to allow the Levellers to carry out their designs; and should the Royalists gain strength, the garrison consisted of only twelve men. The King was favourable to this design, for he knew Hammond to be an officer who had carried out his duties during the war "without malice"; whatever that might mean. On the other hand, he was closely allied to the leading Independents; having married, through the instrumentality of Cromwell, a daughter of John Hampden, which brought him into the charmed circle of the "Cousinry." His personal leanings were towards the Parliament rather than towards the Army. At the close of the Civil War he had been offered the command of forces to be sent to relieve Dublin, which, as he was exacting as to the conditions under which he would accept it, he was not pressed to take. We have seen that he was summoned before the bar of the House of Commons to answer for allowing the Army Petition to circulate in his regiment; that he was a signatory to the Vindication of officers as to the right of petitioning (April 28th) and had been appointed as Commissioner by the Army to treat with Parliament (July 1st). After this, being disturbed by scruples as to whether the Army had any right to oppose Parliament, he had sought to be relieved of his commission, on which Fairfax (with the confirmation of Parliament) appointed him to the governorship of the Isle of Wight,

on the resignation of Lord Pembroke (Sept. 3rd). This aroused further doubts in his mind as to whether he owed obedience to the Army as an officer, or to Parliament as the patron of this sinecure post. It may be imagined that he was now torn in two between his Parliament allegiance and that duty which he might be called upon to show to the King. He loyally promised protection to the King "Since it hath pleased his Majesty to come from Hampton Court to save his life, whatever he could expect from a person of honesty or honour, his Majesty should have it made good to him."

3. The various rendezvous of the Army were held: the most important was that held at Cork Bush Heath, near Ware, to which Fairfax had summoned his own regiments of horse and foot, those of Hammond and Pride (horse) and of Rich, Fleetwood and Thistleton (foot). When Fairfax and Cromwell arrived, they found the other regiments already assembled; one commanded by Harrison (the most unruly in the Army), which had been ordered to a rendezvous in the North; and the other by Robert Lilburne, from which all the officers, save Captain-lieutenant Bray, had been driven out, with papers inscribed "The People's Freedom and the Soldiers' Rights" in their hats. "Freeborn John" stood at a short distance, while Scot and Rainsborow were galloping over the field, the latter offering to present any petition from those who

should feel themselves bound to preserve the freedom of their country at the point of the sword, and inciting the soldiers to disobey the Lord-General.

4. As each regiment was drawn up in line, a Remonstrance was read to them complaining of the false representation that had been made concerning the action of the Lord-General, setting forth all that had been done to further their interests, and adding that the generals were ready to listen to any suggestions that could be offered. The Lord-General protested that he and his brother officers had acted in as indulgent a manner towards the Army as they were able without destroying Parliament. He said that unless discipline and obedience were restored, he could not fulfil the duties of his position of trust in the Army for the benefit of the Nation. He insisted upon his readiness to live and die for the Army, in pursuance of any lawful act, but assured them he was above any "trick or low thought to court or woo the Army to continue him in his command;" that he was willing to bring the business to a clear and certain issue, and would aid the Army to receive satisfaction as to pay and Army reform; at the same time each soldier must abide by any compromise that might be made; he would see that indemnity was given for acts done during the war; that impressment should be abolished; that provision should be made for those disabled in service, and that widows and orphans should not

be forgotten. As to the kingdom in general, a limit should be placed upon this Parliament; and others should be elected biennially upon a broad basis of franchise, to render it truly representative. He then required those who agreed with him to sign a resolution that they would be obedient to the Council of War and their own officers in conformity with military discipline. It will be noted that he made no allusion to royalty. Those regiments that had been summoned acquiesced with him, and Harrison's men tore the papers from their hats. Cromwell, riding up to Lilburne's, ordered them to do the same, which they refused to do; on this he caused Bray to be arrested, selected eleven of the ringleaders, who were tried by court-martial, three being condemned and compelled to draw lots as to who should die. The one thus chosen was shot at the head of his regiment. Rainsborow and Scot, being members of Parliament, were detained to know the pleasure of the House. This bold stroke saved England from the tyranny of a revolted Army, acting without a competent head. The stakes for which Cromwell played that day were heavy: his own life and that of Charles; a military revolt, a fresh war, and the end of all discipline. He afterwards told Ludlow that this military execution was absolutely necessary to prevent "things falling into confusion." It is almost unnecessary to say that the ire of "Free-born John" was again roused against Cromwell; he

attributed it (as well as the fact that Cromwell had ceased to negotiate with the King) to fear of assassination:

"You have robbed, by your subtilty and stuffy tricks, the gallant and honest Agitators of their authority, and have placed it in a thing called a Council of War."

Immediately on the arrival of the King at Carisbrooke, Hammond wrote to Parliament to apprise them of what had happened; the latter wrote back demanding the surrender of Ashburnham, Berkeley and Legge; to which he refused to comply, and summoned the neighqouring gentry to form a guard to protect the King from any attempt of the Levellers, whom he heartily abhorred. Captain Burley incited the population to rise in favour of the King by beat of drum; his call was responded to by labourers, women and children, the whole company only possessing one musket. The attempt failed and the gallant captain was lodged in Winchester goal, and sentenced by Mr. Sergeant Wilde to decapitation.

5. *Nov. 16th*

When Hammond knew of the triumph of the officers at the rendezvous, he besought the King to negotiate with them in order to defeat the designs of the Levellers. Anxious to do something that might improve his condition, "even with small chance of success", Charles sent Berkeley to offer the officers conciliatory terms, with instructions in case of failure to negotiate with the Scots.

6.

7. As the courtier rode between Bagshot and Windsor, he met Dr. Fraught, the governor's chaplain, who told him that the Army was still undecided as to its action. This was confirmed by Cornet Joyce, who said it was a moot point as to whether the King should not be brought to justice; not that he wished him ill, but it might be necessary to do so to acquit the Army of blame. At Windsor, he was admitted to a council of officers, (presided over by Fairfax, who appeared to be very grave) and after giving his message, he was directed to withdraw. On his return, he was told the Army was a servant of the Parliament and could not accept the King's overtures of peace; but that his communication would be sent to the right quarter. Before returning to the King, he sent his servant to find out if any of his friends were abroad; a meeting was arranged with General Watson behind the Garter Inn.

*Nov. 28th*

"What news?"

"No good news," said the general. "You know that I and my friends here have engaged ourselves to you and we are zealous for the Agreement; and, now, we are abused; if an attempt were made to cozen us, we should not be ignorant of it; and what we know would not be long hid from you; that we, since the tumult in the Army, did mistrust Cromwell and, not long after, Ireton; whereof I have

informed you, for they are resolved, notwithstanding this agreement, to destroy the King and his posterity; to which Ireton made propositions this afternoon; one that you should be sent to London; the other that no one should speak to you under the penalty of death; and I am doing so at the hazard of my life. The way in which they intend to ruin the King is by sending 800 of the most disaffected of the Army to secure his person (as believing he is not so now) and bring him to trial; and, I dare think no further; this will be within ten days; if the King can escape, let him do so as he loves his own life."

He added that Cromwell mistrusted the King as much as he had mistrusted Parliament after Naseby. Said Cromwell, "I will do my best to serve the King, but he must not expect I shall ruin myself, (evidently thinking on the intercepted letters) for his safety." Watson said he had pleaded hard against the resolution.

"Two-thirds of the Army had informed Cromwell and Ireton, though they should perish, they would leave nothing undone to bring the Army to its senses, and, failing that, would cause a mutiny and destroy their opponents (Cromwell and Ireton); so that if the Army did so divide, the greater part

would be Presbyterians who would bring in the King to aid them, and, when the latter was reinstated, the rest would be compelled to sue for pardon. This had compelled Cromwell to act with the Army."

8. At Carisbrooke, Charles was again in a comparatively free state. This was secured by the presence of two separate bodies of Commissioners, English and Scots; Lords Denbigh and Montague, with Messrs. Lisle, Kemp and Goodwin; and Lords Lauderdale, Loudon and Lanark.

9. The first told Charles it would be necessary for him to acknowledge he had levied war upon Parliament, and that he was guilty of all the blood that had been spilt; that he must abolish the episcopate, and devote church lands to religious objects, to be specified; that he must yield to Parliament the control of land and sea forces for twenty years; that the gathering of more than thirty armed men was to be considered as treason; that Parliament should be free to sit when and where they pleased; that all declarations against Parliament were to be declared of none affect; that all patents passed under the Great Seal since its removal to Oxford were to be void, and that all the King's adherents were to be dealt with according to the wishes of Parliament.

10. To these demands, Charles produced a sealed answer; but being told it would

not prejudice him, read it aloud. He explained it was a matter of great difficulty to comply with these conditions and to secure a lasting, peace as the Scots did not agree to them; and that in doing so, he would have to divest himself of his power of sovereignty, but he would grant all reasonable demands if a peace were negotiated at London, but he would not guarantee the results. Lord Denbigh replied they had no power to treat, but simply to receive his answer.

The Scots Commissioners in the meantime had represented that the English were prejudicial to "the religion, Crown and interests of North Britain and the various treaties and engagements between the two countries."

11. *Dec. 26th* Before giving his answer to Lord Denbigh, Charles had signed a treaty between the two countries, binding himself to sign the Covenant; to establish Presbyterianism; to abolish all "heresies and schisms"; to protect any who might rise in his favour; to consult with them before entering into any treaty; to grant an act of oblivion; to pay the balance of arrears to the Scots' Army—viz. £20,000 and to indemnify his Northern subjects for any loss incurred through the war. His navy was to guard the Scots' coast, the Scots were to enjoy an equal employment on foreign service, and two-thirds of his attendants were to be Scots; while he pledged himself to reside in Scotland a reasonable time every year.

This agreement was soldered up in a tin case and buried in the Island. On this, the Scots withdrew, passed through London and received the £20,000 from Parliament, of which £10,000 was paid to a certain Archibald Campbell, under a power of attorney, as the sum awarded to his kinsman, the Earl of Argyle, by the Estates of Scotland.

12. This result was not pleasing to Parliament or Army. On the return of the English Commissioners, the latter, 3,000 strong, marched through London, taking up their quarters at Whitehall and the Tower. Many of the best men, including Ludlow, Vane, Hutchinson, Sydney, and Haselrigg, either withdrew from public life or condemned the continuance of monarchy. Martin advocating the dethroning of the King and the establishment of a republic, and Cromwell being willing to support the King if he would guarantee for good government; and there is strong reason for supposing that the English Commissioners were instructed to negotiate a treaty upon the same lines as the Scots, if he would consent to some curtailment of his prerogatives; the Independents being willing to allow the Presbyterians to enjoy the emoluments of court functionaries.

13. *1648 Feb. 5—11* A full House (the Presbyterians having resumed their seats) debated upon the "vote of non-addresses" to the King and the negotiating by means of bills to accept or reject. Maynard spoke at length as to the custom of

members having a right to confer with the King; adding that this vote would destroy Parliament. It was carried by a majority of fifty. This the Lords opposed, till the Army forced them to consent; Lords Warwick and Manchester being the only non-contents. The Army promised to maintain the rights of the peerage in the just and proper interests of the common weal. These bills provided for the military and naval forces to be controlled by Parliament for twenty years, the withdrawal of all declaration as to the illegality of the Parliament; the voidance of newly created peerages, and the freedom of Parliament to sit where and when it would.

*Jan. 17th Lords' Jour.*

14. Although the officers took no part in these deliberations, they did not allow them to pass without some discussion. Taking up the position that they had waged war against a King acting independently of the majority of his Parliament, they still agreed to the preservation of the monarchy, and were of an opinion that all writs should run in his name. Cromwell, who saw that the King's duplicity increased with his difficulties, acknowledged his powers, saying he was "a great dissembler and so false a man he could not be trusted any farther, being guilty of shedding blood by making war upon his Parliament and rejecting proposals of peace."

15. To enable Hammond to meet his new responsibilities, Parliament granted him

a donation of £100; and a sum of £1,000 to be disbursed at the rate of £30 a day; £10 for the King's table, £9 for a garrison of 200 men, £1.10*s.* for his expenses as the King's host, and the remainder for unforeseen expenditure. From time to time the prisoner and his custodian walked together on the ramparts; on such occasions the King spoke about his family and the future action of Parliament; he was strongly moved when he heard of the execution of Captain Burley, the legality of which he denied, saying "he was as much damned by the ministers in the pulpits as by the packed jurymen who gave the verdict." Rumour said that a spring of water arose where his head fell; but the real fact was that the spot was not dry on the following day. He complained, too, of the removal of his servants, whom Fairfax had replaced by thirty men under his command, as being an unchristianlike act, and enquired of the reason. Hammond replied:

> "That his Majesty could not be ignorant of the cause of this change as he (Hammond) was not actuated by ideas, other than for the good of the State. He was bound in honour to those who employed him; and his Majesty, found more consideration from him than he could have expected under the circumstances. The Commissioners were privy to this change; but it had been carried out by the Houses of Parliament."

Charles then ordered him to read his orders, after which he thanked him for speaking well of him to Parliament; "if ever the Houses returned an answer, he would give the colonel a gratuity, and he would never by any act of his, seek to enslave his people." This would have pleased a less honest man than Hammond, who simply replied that he had done nothing "but what he was ready to answer before God; and if he had done anything wrong, his head would answer for it." Such were some of the conversations between them; in his private correspondence Charles wrote of Hammond's barbarity and cruelty, and said "the devil himself cannot outdo him in malice and cunning."

16. The Royalists were not in despair. Henrietta Maria had already sent Sir William Fleming to Amsterdam to sell her jewels and to bring equipments and arms; and Charles, buoyed up by his expectations of the risings in Scotland, made several attempts at escape. The first was by means of a vessel he heard was lying in Southampton Water. Encouraged by the absence of the governor, who was escorting the English Commissioners to Newport, he attempted to sail down the Medina, but was prevented by contrary winds. On his return, Hammond doubled his guards and banished Ashburnham and Berkeley from the Island, on which they sought shelter at Netley, becoming the centre of Scots intrigues. In the beginning

*Dec. 28th*

*Hist. MSS. Report II page 163*

of January, a vessel was sent to convey him to France; it remained along the coast for about a fortnight, under the colour of being a coaster, dealing in butter and bacon. Hammond was informed that Charles had entered into a secret correspondence, through the agency of a woman who supplied him with clean clothes, and his letters were distributed by a Royalist (probably Boswell), for it was certain that Hyde received a letter on the return of this vessel to France. The King made other attempts. On one occasion he was to be drawn through the ceiling of his apartment into an empty chamber, and thence to go from room to room till he passed the guards and was free. Again, he was to have let himself down from his window by a rope, but found the court-yard filled with armed men. Major Rolfe was tried at Winchester for attempting the King's life, but the bill was thrown out as a calumny, and he received from Parliament a gratuity of £100 to compensate him for his false imprisonment. Never learning how to judge men and things, Charles then trusted to others for his escape, and entered into a conspiracy with Major Osborne and Mr. Dowsett (principal gentlemen in attendance) to bribe three soldiers to allow him to descend the castle walls with ropes; after which, Mr. Worsley (of Appuldercombe) was to await him with a boat in the creek. This was discovered

*Dom. St. Papers*
*Jan. 25th*
*Mar. 29th*

*May 30th*

by the vigilance of Hammond; one of the soldiers confessed and Dowsett was surprised by a strong guard, which at first he mistook for his friends.

17. The continued misfortunes of the King discredited him in the eyes of many of his followers, and the monarchists were divided. Some thought of the Prince of Wales as likely to carry on the traditions of the party and to preserve the power of the aristocracy; others looked to the Duke of York, under a council of regency; while the person most likely to unite all parties was the young Duke of Gloucester, who had the advantage of the support of the council of the Army. The second placed himself out of the running by making his escape in female attire.

*April 21st*

18. The Royalists renewed their activity. The Earl of Kent discovered a plot to surprise the Tower between Monday (Jan. 31st) and Tuesday (Feb. 1st). To prevent this, the militias of London, Southwark and Westminster were called upon to assist Barkeston and Rich and the Lieutenant of the Tower. In all, some 600 men were assembled. A month later, Lord Northumberland heard of another conspiracy, of Cavaliers who were ready to take advantage of the Shrove Tuesday festivities; on that day special precautions were ordered to be taken. A declaration was made to the two Houses that the King was not ignorant of this. The Army again

assured Parliament that they were faithful in all things pertaining to the Kingdom and the preservation of Parliament and the Kingdom, not only without the King, but even against him if necessary; and the Council at Windsor remodelled the Army, increasing the number of officers in each regiment.

19. Nor had the City been without its troubles. On Christmas Day (1647) the churches were decorated with rosemary and bay as in the days of the Laudian Church, and the 'prentice lads successfully resisted the officers sent to remove the greenery. To quell the feeling, but principally to protect Parliament, Fairfax was directed to send 2,000 troops to London.

*April 9th* In the spring, other riots took place: the 'prentices profaned the Sabbath by playing bowls in Moorfields, drove back the militia (with the loss of their colours) and were only dispersed by cavalry. Spreading over the city, they persuaded the watermen and other disaffected persons to join them, and obtained arms, took possession of the city gates and bars, and assumed a posture of defence. Going to the residence of the Lord Mayor, they killed one man and seized a piece of artillery, wherewith they killed several bystanders. As the rioters bid fair to become masters of the city, the council was in session all night and Fairfax and Cromwell urged repressive measures. This policy caused the City to refuse to pay the money

imposed upon them as their quota for military expenses. On reinforcements being sent to collect the money, the troops were greeted with cries of "King Charles and no plunder!" This feeling was increased by a statement made by a certain Everard, before the Court of Common Council, that he had overheard Colonel Ewers and other officers say that they would enter the city in force and demand £1,000,000 under threats of plunder. The corporation then demanded the restoration of the city chains, the reinstatement of Skippon in his command and the removal of the Army to a greater distance from London. Another riot broke out; the mob being dispersed, went to Whitehall, whence, they were repulsed without difficulty and driven back to the city. At nightfall they reassembled and took possession of the magazines at Leadenhall and the Mansion House, amid cries of "God and King Charles." In addition to these, the committee of both Houses warned the Lord Mayor of a dangerous conspiracy for enlisting men under an oath of secrecy in various places, principally in the city, saying that it was not possible to send troops for their arrest, but it were well to secure them by means of trustworthy men. Such an attempt was made; the leaders escaped by the roof of the neighbouring houses. So great was the alarm of the Parliament, that they devoted £500 to the strengthening of Languard fort.

*May 19th*

20. Nor was this ebullition of feeling confined to London. Disturbances were feared at Norwich on the occasion of the mayoral elections, and Fleetwood was sent down to maintain order, with instructions not to interfere with the freedom of the election. For this, he received the thanks of the House. *May 13th* The disaffection spread to Suffolk; the townsmen of Stowmarket, Thetford and Bury rising up against the county committee. To quell this, Whalley was ordered to take a body of horse and remain six miles from Bury, while Sirs William Player, William Soames, and Edward Harvey were appointed to protect the town magazines and receive submission of the townsmen. The local authority complained that the scouts on either side were not told of the arrangements made by their respective officers, by which the towns were kept short of victuals. In the end, the Parliament guard was replaced by 600 townsmen, under whose auspices may-poles were erected, with cries of "God and King Charles!" The Cavaliers planned the seizure of Belvoir and Winchester castles, to prevent which Fairfax was instructed to reinforce the latter with 300 men. In Essex the men of Waltham Abbey seized the magazine, which they placed for safety in the church, preparatory to taking it to Chelmsford. In consequence of this, the trained bands were called out for inspection, with *May 6th* the double object of replacing defective

arms and fitting the men for active service, if required. To please the moderate party, Skippon
*May 1st* was restored to his command. In the North, Musgrave seized Carlisle, and Sir
*May 2nd* Charles Lucas and Langdale, Berwick on Tweed.

21.
*May 3rd* In the face of the disturbed state of the country, Parliament continued to endeavour to arrive at a settled peace; which was rendered more difficult by the Scots demanding that all Englishmen should take the Covenant; that Presbyterianism should be established and that all heresies and schisms and liturgies Anglican and Roman should be abolished and that the King should be brought to London for a personal treaty. A few days after, Parliament, still clinging to the old order, voted the maintenance of King, Lords and Commons, the promotion of the Covenant and the observance of all treaties between the two Britains; but did not discuss the questions of the form of religion, or the visit of the King to London. They thus acknowledged they had no right to change the constitution, but only to make terms as between conquerors and conquered. At the same time they practically withdrew the vote of "non-address" by deciding that each member might do what he thought best to bring about peace. Scott, whom
*May 24th* we left at the rendezvous at Cork Bush Heath, thought it were better for the

King to be hanged, drawn and quartered than to be admitted to negotiations, having involved the whole kingdom in blood. So far had the tide of reaction set in, that the Court of Common Council expressed itself ready to die for the Covenant. When Cromwell heard of this, he wished to purge the House, to which Fairfax would not listen, sending him with three regiments to Wales, where troubles were brewing.

22. *Mar. 2nd* The same influence was making itself felt in Scotland. A fresh Parliament was called to carry out the treaty of Newport; this was equally divided among the factions of Lords Hamilton and Argyle (representing the Cavaliers and the Roundheads), while the majority of the nobles siding, with the former, gave him the control of a single House. A "committee of danger" was formed, with power to levy 30,000 troops to defend King and Covenant. On this, the English Parliament (by 127—76) voted sufficient money to put the six northern counties in a state of defence. *May 6th*

23. When the Council of War broke up, the officers were more determined than ever. Goffe pointed out the sin of unbelief, the placing of the fear of man above that of God, as the source of failure. Tears rolled down the bronzed cheeks of veterans when they saw the impossibility of coming to terms with the King, who had made up his mind to bring about another war by the

aid of men whom he would abandon in his light insincerity, after he had gained his point. Before finally separating, they declared that neither Charles nor his posterity should be allowed to reign. The private soldiers said that the knot could not be untied by votes, but must be cut by the sword.

24. This may be a convenient place to point out that the indifference to Parliament success may be found in the thin attendance at a thanksgiving service, held to commemorate the triumph of their arms at St. Fagon's, in the church of St. Dunstan's. A wag stationed himself outside and cried out to passers-by that there was room enough inside if any one wished to return thanks. A popular squib was circulated, "How long halt ye between two opinions? If the Lord be God, serve Him; if Mammon be God, serve him; if Fairfax be God, obey him; if Charles be King, restore him."

# BOOK IV

## THE "KENTISH FAIR" AND THE NAVY

I. THUS far we have endeavoured to relate those events which led up to the Second Civil War. Charles was now virtually dethroned, not so much by the action of Parliament as by his determined attitude to preserve the royal prerogatives intact. England was exhausted, many of those who fought for King and Parliament retired from the conflict, which was now evidently one between Parliament and Army. Fairfax said arms had been taken up against the King for King and Parliament to preserve the

> "Crown of England in that position it held and will hold, a place in the hierarchy of King, Lords and Commons. . . . . The King misled by evil counsellors, or through a seduced heart, hath left his Parliament, under God the best assurance of his crown and family. . . . . My loyalty is a determination to maintain the rights of the crown and kingdom conjointly."

The land was filled with dissatisfaction; customs

were exacted; and a new tax called the Excise had been instituted to replace the feudal dues, which the unsettled state of the kingdom had rendered practically useless to Parliament. A month's subsidy levied on the land amounted to £100,000 (Clarendon says £150,000). Forts were erected and garrisoned on every hand. Those Royalists who had compounded for their estates were ruined, and felt that no remedy could be too desperate.

2. Hostilities broke out unexpectedly. Two Presbyterian officers, Poyer and Langhorne, were about to be superseded by Independents. One refused to deliver up Pembroke Castle, and the other to disband his men until all arrears of pay were forthcoming. Seizing the Parliament Commissioners at Tenby, they declared for King and Covenant. So strong was the local feeling that when Colonel Hewson advanced against them, he found the villages deserted and the smithies closed. Colonel Fleming, who tried to take a pass, fell into an ambuscade and committed suicide in a neighbouring church. Sir Thomas Keemish took Chepstow Castle. The news of Cromwell coming towards them with the New Model made Langhorne anxious to defeat Colonel Horton, before the forces could join. The battle took place at St. Fagon's, where the Royalists lost 1,500 officers and 5,000 soldiers out of a total of 8,000; the two leaders escaping. Failing to storm Tenby,

Cromwell obtained it on mercy. He then besieged Pembroke, sending Ewers to Chepstow. In North Wales, Sir John Owen was defeated by the sheriffs. Thus, the insurrection in Wales was soon ended; Poyer being captured and sent to the Tower, with his companions, to await the decision of Parliament, while the remainder were allowed to return home without prejudice.

3. The events following a riot at Canterbury on Christmas Day, 1647, were even more serious. Several gentlemen met in St. Martin's Church to hear a sermon suitable to the day; but were greatly annoyed by the townsmen passing and repassing, and even playing football under the windows. It being market-day (Saturday), the mayor invited the traders to open their shops. In the course of the day, his worship was knocked down into the gutter, several persons were wounded, the clergy and magistrates were driven out of the town, the magazines were seized, and sentinels were posted at each of the gates. To protect themselves, Sir William Mann and Mr. Lovelace entered into an agreement with the mayor, that no one should be punished for what had taken place on the day dedicated to the Prince of Peace. On the following day the disturbances were renewed amid cries of "God! King Charles! and the County of Kent!" "Down with the Parliament and the Excise!" and "Long live King Charles!" Three thousand of the county militia were called out,

the gates were removed from their hinges, and breaches were made in the walls, lest the town should be held for the King. In the course of a month, Colonel Hewson was sent down with a regiment of foot, and (despite the agreement of Christmas Day) the royalist leaders, Sir Mann (or Manny) and Messrs. Lovelace, Savine, Dudley Wiles and others were sent to Leeds Castle (the sequestrated property of Lord Culpepper, the constant companion of the Prince of Wales in all his wanderings), where some of the "baser sort" (and their wives and families) were nearly starved. After two months' imprisonment they were released on bail.

*1644*

4. So great was the excitement that the Committee of both Houses sent notices to the sheriffs of Kent (and other counties) to publish by beat of drum and blare of trumpets the vote recently passed against 'listing, levying and transporting troops. About a week before Whitsuntide, Sergeants Wilde and Steele were sent down to try the offenders by a commission of Oyer and Terminer, to decide upon questions of life and death. To give greater importance to the trial, the deputy lieutenants were ordered to be present. One of these, Sir Michael Livezey or Lusey, rode into Canterbury at the head of two hundred horsemen, saying: "he thanked God for having been permitted by the House to be there, and he would endeavour to send some of them

packing to the other world." The Court was duly opened and twice did the Grand Jury bring in a bill of "Ignoramus."* On this, they were dismissed and the prisoners remanded to await the pleasure of Parliament. Before the court rose, a messenger brought in news of the royalist defeat at St. Fagon's, on which one of the bench said, if they had known this before, another verdict would have been required of them. To this unwise remark, answer was made, "Sir, neither your news nor your threatening words would have compelled us to give in upon another man's life contrary to the result of our own consciences." Whether it was due to the growing royalism in the county, or the resentment of such treatment, the Grand Jurors drew up a petition which was shown to the deputy lieutenants, some of whom gave it their approval:

*May 11th* "To the Right Honourable the Lords and Commons assembled in Parliament at Westminster: The Humble Petition of the Knights, gentry and commonalty of the county of Kent" set forth that the sense of their miseries and a fellow-feeling for the discontent of other counties, caused them to present these, their ardent desires, that "the King may be admitted in all speed, safety and honour to treat in person with his two Houses of Parliament for the perfect settling of the peace, both of Church and Commonwealth;

* Equivalent to throwing out the bill of indictment.

also his just rights and those of Parliament." They also wished the arrears due to the Army to be forthwith audited and the men to be disbanded; to be governed by the known laws; to be free from taxes, "especially the heavy burden of the Excise", and the "timely prevention of these pressures and distempers whose continuance will inevitably ruin both ourselfes and our posterities." Those who agreed to these were requested to sign it (or copies of it) to be returned to Rochester on the twenty-ninth of May; and those who wished to accompany it to London were to meet on Blackheath on the following day. It was largely signed, even by some of the deputy lieutenants; others expressed their approval or left the city. Two of them, Lusey and Hammond,

*May 16th* rode to acquaint the Speaker of what was going on; after which the latter wrote to them, on the following Sunday, urging them to "forbear all occasions of disturbance by such practices whatsoever; and if any well-affected persons have been abused and misled so as to sign it, or procure hands to any seditious papers under the name of a petition and upon false giving out that the deputy lieutenants of this county do approve thereof, to the end that such well-meaning persons may be undeceived.... .... we do hereby signify our utter detestation of such seditious practices, and advise all well-wishers to their country's peace to take heed thereof and to

counsel and persuade their neighbours accordingly; and, if any pretended copies of any such pretended petitions come into or be in their hands, to deliver the same to the nearest deputy lieutenant." The ministers of the various parishes were ordered to read this declaration, and the public reading was to be certified by the churchwardens.

5. This brought forth a vindication on the part of the petitioners, denying, most emphatically, that the paper in question was a pretended petition; stating that it contained nothing but that which tended to the preservation of peace; that their manner of presenting it was to be peaceable likewise; disclaiming any factious feeling against Parliament; declaring their intention to "prosecute their just rights" in an orderly way; stating their determination to sacrifice lives and fortunes in its prosecution; and denying any wish to mislead others.

6. Somewhat similar petitions were circulated by the counties of Surrey and Essex: of these, the first showed the dangers of the animosities that were prevalent, "as Christ Himself has told us;" advocated the settling of the kingdom upon the lines of the Covenant, so "that God's name may be glorified, the King reinvested, the subject's liberty asserted and properly maintained, trade increased, Ireland relieved, the public debts of the kingdom paid, and all Armies

disbanded"; while the second was more moderate in its demands; that the King should be admitted to due honour and just rights, according to the oath of supremacy, in "the splendour of his ancestors," that the approaching war may be averted, and that all Armies be disbanded. This was taken to Westminster by five hundred men, crying "God and King Charles!" The Lords accepted their petition; but on the Commons refusing to do so, the petitioners forced their way into Westminster Hall, and treated some labourers to drink, on which they became quarrelsome and assaulted the guards, who, being forbidden to fire upon them, pushed them back with their pikes. Some took refuge in boats on the river, whence they pelted the soldiers with brickbats. The latter then opened fire and ten of the rioters were wounded. The petition of Essex was brought to Westminster by a large number of freeholders who objected to soldiers not favourable to the petition entering the county, and pledged themselves to defend the kingly government and to hold together. One of these affronted a sentry by asking "Why he stood there to guard a company of scoundrels." A quarrel ensued; some of the guards were wounded and one was slain; reinforcements came up, and the turbulent (if not wise) men of the East were driven from room to room and from street to street, until they were scattered beyond hope of re-uniting.

7. Parliament now saw that petitioning meant mob and violence, and passed a resolution that all petitions brought up by more than twenty persons, should be given privately to the representative of the district (or any other member) for the purpose of presentation to the House.

8. But the men of Kent were determined to present their petition. The Parliament Committee gave instructions for the militia and trained bands to meet at their several headquarters. Many refused to attend, leaving home rather than obey. Captain Foach assembled some twenty men and went to Maidstone to protect the Committee. Sir T. T. sent his summons, which was answered by about ten men (but no officers or colours), for the rest were engaged in prosecuting the petition. After waiting all day, he sent his man to Canterbury to invite those he dared not command. At the gates, the messenger was dismounted and forced to return on foot. Sir T. being thirsty, called for some beer, with which his men drank the King's health; in which toast he was told to join them. Being a strong Parliament man, he excused himself on the ground that he was not addicted to such practices and it would impair his health, and then rode hastily away.

9. When the petitioners found the Parliament was in earnest to prevent their design being carried out, they issued a Manifesto:

"To prove the innocency of our intention.... .... the knights, gentlemen, clergy and franclings of the county of Kent (the most free people of this late flourishing nation, by the wisdom of ancestors delivered from the laws of the conqueror .. .. ) .. .. do hereby declare and manifest to all the world, that our meetings and assemblings together are no other than a vindication of ourselves and our purposes from the scandalous aspersions of the committee of this country; on the occasion of a petition on behalf of the county of Kent, assented and subscribed to by the Grand Jury, at the Sessions of Oyer and Terminer executed at the Castle of Canterbury on the 11th of this instant May

.... .... .... .... .... .... ....

the committee finding themselves unable to involve the county in blood have made their addresses to Parliament and Army and made strange and malicious representations of our purposes, thereby discovering nothing so much as their own pride and malice .. .. .. We appeal to all the world, if it were not high time to put ourselves in a posture of defence?"

They complained of the taxation of the country being beyond due proportions; and declared that no threatening would make them desist.

10. *Dec. 28th 1644*

At that time, there was in Kent a certain Mr. L'Estrange, a cadet of the Norfolk house, who had been condemned to death for attempting to seize King's Lynn for the King; but Prince Rupert threatened reprisals if the sentence were carried out; after refusing to sign the Covenant, he was sentenced to prison for life. After some three years he managed to escape from Newgate and found shelter with John Hales, of Hales Court, Kent, who had married a lady of noble birth and fortune. He was absolutely dependent on his grandfather who, as well as his mother, was a staunch Parliamentarian; neither would hear of any money being spent in the King's cause. L'Estrange told him that his grandfather was really in favour of the King and would need royal indulgence to secure his estate. To aid the King, he would only need to put himself at the head of his county, march to London and induce Parliament to declare for the King, when the Scots should have invaded England. In this plan, he was joined by his wife, leaving the details to his adviser, who, posing (on the strength of his expedition against Lynn) as an authority, wrote to several gentlemen and constables likely to help him, in his own name, till then unknown in the district, requiring them to meet at Canterbury on May 23rd, at which (there being a large attendance) L'Estrange inveighed against the "tyranny of the Army that

had subdued the Parliament, and the barbarous captivity of the King" in a style "altogether his own," which had nothing very precise about it and so prevailed better with his more ignorant hearers. He added that the King knew of the affection of the county and had considered that, with the assistance of the Fleet that lay in the Downs, his enemies would have enough to hold their own, and that his Majesty was willing that they choose their own leader, which office Hales was willing to undertake. These suggestions were agreed to; no enquiry was made as to his commission, but those assembled declared themselves willing to follow Hales where he should lead them, and a day was appointed for receiving recruits.

11. L'Estrange then drew up a declaration of their intentions, to be read in the various churches. It ran that "being reduced to deliver up our lives and liberties together or die free, we are resolved to act the last scene of the tragedy, with our swords in our hands, which we would rather turn upon our own hearts than on the public peace."

"Sir Anthony Wilding vowed he would not crosse the street of Rochester to save one soul who had subscribed the petition.... also.... the proposition of Beales to hang two petitioners in each parish."

12. To put themselves in a position of defence, they seized arms at Scots' Hall

(Ashford) and Faversham, in spite of the deputy lieutenants, who where compelled to seek shelter at Aylesford; and gave commissions to Colonels Robert Hammond and Hatton to raise regiments of horse by beat of drum. At a rendezvous at Barham Downs these officers brought up three hundred foot and sixty horse well armed and equipped; and in money, many subscriptions, some as much as £100.

13. When news came to Westminster, one member for Kent said there was no such person as Mr. L'Estrange in the county, and Sir Edward Hales said it was impossible for his grandson to be engaged in the conspiracy. When the rumour was confirmed, he stormed and vowed that his grandson should not inherit his estate. The House sent a troop of horse to repress the rioters, who now became numerous, especially about Wye, Ashford, Rochester and Gravesend.

14. From Barham Downs the men under Sir Richard Hardresse and Messrs. Hammond and Thomas Peake, numbering some one hundred and forty, all mounted because of the wetness of the season, marched to Sandwich, where, in spite of a messenger sent before them, they found the "ports" closed against them. Sir Richard was admitted and the troops were drawn up in the market place. The mayor declined to sign the petition or to provide for their necessities, pleading the poverty of the town; and but

little money was found in the possession of the Excise officer. On the following morning the corporation being questioned as to how much money they had collected "towards the enthronement of the King and the speedy redemption of the most Turkishly enslaved subjects of England to their true, natural and native liberty," the same answer was given.

The commissioners, mistrusting the attitude of the mayor, destroyed his commission with the point of the sword and deprived the rest of the officers of theirs, replacing them by gentlemen more in sympathy with their cause; then seizing the contents of the magazine, they loaded a waggon with powder, match and ball and prepared to leave.

15. Just as they were about to depart, they were told that the Prince of Wales was at the house of one Captain Forstall, a jurat of the town. He had given out that he had been compelled to leave Paris in consequence of an attempt made upon his life by the queen; this received the more ready credence since it was well known that she disliked her eldest son. * Ladies of quality had kissed his hand; the townspeople

* In 1630 she wrote: "He is so ugly, that I am ashamed of him"; and again: "I will send you his portrait as soon as he is a little fairer, for at present he is so dark I am ashamed of him." Miss Strickland's "Lives of Queens of England," vol. IV. p. 187.

had vied with each other in giving him presents, from rich clothes and purses filled with guineas to a dish of asparagus. To see their master, (for the King now seemed to be outside "practical politics") the seamen mobbed the town. So important was it to know the truth that the queen had sent one of her confidential messengers Sir Thomas Dislington, to see him; he pronounced him to be an impostor. Since then he had been in a kind of honourable captivity, guarded by musketeers and faring sumptuously every day. Matthew Carter (the historian of this honourable adventure) declared he was not the prince and, under pretence of relieving him from restraint, endeavoured to get him into a carriage. This he would not do, ordering the captain to shut the door, waving his hat, throwing handfuls of silver to the sailors in the street and crying: "Seamen! to the rescue! Raise the town! Stand by me!" Those who still believed in him, swore they would rather die than suffer him to be taken. At last he was taken out of the back door by some mariners, who conducted him to the Isle of Thanet, where Mr. Crispe entertained him as if he were really a prince, until he was arrested and taken before the mayor of Canterbury.

16. On being examined he confessed he was Cornelius Evans, the son of a Welshman and a Frenchwoman, having been born at Marseilles; and stated that he had left his lod-

gings at St. Katherine's by the Tower in May; that he had not found a ship in London, that he had walked to Dover with the same result, and thence to Deal. As he passed the castle, he saw a lady and gentleman in the garden, whom he declared were Colonel Rainsborow and his wife. He stopped at the "Crown", where he called for some beer; as he drank it, some seamen came in and made him toast the King. Rainsborow's own coxswain pretended to recognise him as the Prince of Wales; saying that the colonel had sent him to let him know that if he could personate the Prince of Wales till he could return to England, which would be very soon, he would be handsomely rewarded. They said it would not be safe for him to remain where he was, and sent him on to Deal. Here he was met by a long-boat full of seamen, who would not think of landing till he had entered the Bell Inn, where they followed him, declaring that the prince had returned. Captain Forstall then entered and demanded his name. He gave the Prince's and begged that it might be kept secret. He was told that concealment was impossible. He then went with the seamen to see their swimming dog, which they called "Black Tom" (after Fairfax). When Parliament heard of this they sent down a description of the two men, pointing out that the prince was dark with very black hair, while the stranger was fair (although somewhat tanned),

*D. S. P.*

with flaxen locks. He was tried at the bar of the Lords; sent to Newgate and soon afterwards made his escape. Forstall was tried as an accomplice; but, on swearing that he had been deceived and acted for fear of disobeying the prince, was released; the town clerk standing bail for his good conduct.

17. An important factor in the second Civil War was the Navy. Proverbially loyal to the crown, the seamen had been alienated by neglect. After the accession of Buckingham to power, the veteran hero of Armada fight, Lord Howard of Effingham, was removed to increase the emoluments of Villiers, in whose days the coasts of England were ravaged by pirates. Bristol, the second port England, had been plundered; and, in 1617, a Turkish (Moorish) pirate had been captured in the Thames. Shortly before the death of James I. the royal favourite had agreed to send two ships, under Pennington, to France for eighteen months, to be used against all foes, save England and Scotland; the supposition being that the enemy was Genoa, then allied to Spain. Colour was given to this by the fact that a Franco-Piedmontese army was being made ready to attack that republic on the land side. Unfortunately, the Duke of Soubise hastened on the hostilities at La Rochelle, and then it was thought that they would be used against the Protestants. James dying, Charles ratified the promise; the ships crossed the Channel and arrived at Dieppe. Here, the captains, having no

guarantee for their being replaced in case of loss, objected to hand them over to French commanders, and with only sufficient men to navigate them, returned to England. On Richelieu's showing that a mere demonstration would lead to the surrender of the town, Buckingham ordered Pennington to go back and to give the ships up to French officers, which he would have done, had not a mutiny of the seamen compelled him to return to England, on which a formal warrant was made out for their delivery (the King being now satisfied that they were to be used against Spain) even if he had to fire upon them to effect his purpose. The ships were delivered; all the crews escaped to England, save one man; and the fleet was used against La Rochelle.

18. The Duke of York was appointed Lord High Admiral, the Earl of Northumberland being his Vice-Admiral during his minority. As such, he had charge of the expedition to assert the Sovereignty of the seas, and succeeded in enforcing the Dutch fishermen in English waters to take out licences. Soon after this (1637), he wrote to Lord Stafford:

> "To ride in this place at anchor, a whole summer together without any hope of action; to see daily disorders in the fleet, to have no means of remedying them, and to be in an employment where a man can neither do the service of the State, honour to himself

or do courtesies to his friends, is a condition I think no one will be ambitious of."

*D. S. P.* In 1639, when the Spanish Fleet swept up Channel to meet the Dutch, the admiral had orders to sell them powder with a profit of 2*s.* a barrel to the crown, to carefully watch the fight from a distance and to attack the one that seemed to be gaining an advantage. Seeing the Spanish men-of-war driven on shore, he opened fire upon them. It is doubtful if the sailors would have helped the Spaniards, as there was a rumour in the fleet that they were bringing mercenaries to subvert the liberty of the subject. To such a low pitch had the Naval Service fallen that we read of clerks of the cheque and boatswains who had never been on deck save on pay days. One man refused to undervalue his services by accepting a midshipman's berth for his son, as boys who had never been to sea could obtain lieutenancies from the King. The question of prize money, too, was (and always has been) a burning question. Complaints were made that captured vessels were sold at short notice at foreign ports at unnecessarily low prices. The stores, too, were open to embezzlement at the hands of the officers. One man, who had served

*1645* forty years as a master and twenty years as principal officer, complained that he had not made enough to enable him to live; his

pay never having exceeded £32 a year, the major part of which went in taxes. In those days, captains received 3*s.* 4*d.* a day; out of which Parliament stopped 10*d.* On complaints being made that certain officers were continued at the old rate, it was decided that those whose commission dated from before Jan. 12th, 1647, (on which day the alteration was made) should be continued at the full sum, while others, unless they served as masters, should only receive the smaller sum. Food, too, was served out in an unsatisfactory way; an order was made that, for the future, 3 lbs. of beef with the ordinary quantity of peas should be served out instead of 2 lbs. of pork, owing to the dearness of the latter. The beer was complained of as musty and the fish as undersized. Can it be wondered at that when Charles failed to arrest the five members, the Navy rejoiced to such an extent that he said: "What! have I even lost the hearts of these water-rats?" or that Parliament was deserted when troubles broke out in Kent?

*Feb. 8th 22nd*

*March 2nd*

19. At the outbreak of the Civil War Northumberland declared for Parliament and, being in ill-health, was easily persuaded to appoint Lord Warwick as his deputy. This was resented by the King, who deprived him of his command, wishing to take the control of the Navy in his own hands; giving instructions to the captains through Pennington. The latter, afraid of

attracting too much attention by coming through England from York to the Downs, advised Charles to appoint Sir Robert Mansell, then at Yarmouth, as vice-admiral. This did not please the King, who ordered the several captains to meet at a rendezvous. Suddenly, Pennington expressed his willingness to take charge of the Fleet; but before he could join, Warwick, armed with his commission

*July 1st* from Parliament as Lord High Admiral on the same terms he granted to him of Northumberland, boarded his flagship, overcame the feigned opposition and reported to Pymn that

*July 4th* the Fleet was at the service of Parliament. As his vice-admiral, he nominated Captain Batten, a good seaman, who had previously purchased the place of Surveyor of the Navy, "during the King's pleasure," for £1,500, on Sept. 26th, 1638. He had bombarded Bridlington on the occasion of the queen's landing arms and treasure, and brought in seventeen Swedish men-of-war who refused to salute his flag in the narrow seas. His function was to convert a Royal Navy into a Parliamentary one; not an easy task, since nearly all the men were Royalists—"standing for the King and freedom of Parliament." To effect this change, he notified to officers and men alike, that they were absolved from obedience to those superiors who were not true to Parliament.

*Clarendon V. 36-376*
*Lords' Journ. V. 169,178, 183-213.*

*Eng. Hist. Rev. VIII. 491*

20. The Commissioners for the Navy were aware of the disaffected state of the Fleet, and ordered Batten to ascertain why the men were paid higher wages than heretofore. They could not understand that the same forces that were at work had alienated the Army. Batten feared the influence of the Army revolt, and resigned the post, offering his services when required. In consequence of this he was summoned before the Board of Admiralty, to answer questions as to his Presbyterian proclivities. The Earl of Warwick also resigned; and the Admiralty was placed in commission under Popham, Deane and Blake, who had authority to grant commissions under the "seal of the anchor" to vice- and rear-admirals. In the meanwhile Rainsborow had been appointed vice-admiral. This was an unwise choice, for the sturdy Leveller, who had opposed all accommodation between Parliament and King, was far from acceptable to the less advanced seamen. Besides this, his military title told against him. It is a question as to whether he ever had much naval experience. It is true he was the son of an eminent naval commander, who, as captain of the Swallow (34 guns), had captured ships carrying reinforcements to the King; but he had spent most of his time in commanding the land forces. His appointment was at first negatived by 58-67 votes in the Commons; but, on promising to obey

*Sept. 17th*

*Feb. 24th*

*Sept. 15th*

Cromwell and Ireton (who certainly had no sympathy with the Levellers), Fairfax urged he should be dispatched on his mission; on this the House rescinded their former vote by a majority of 22. The Lords maintained their objection, but he went to sea on Jan. 1st, 1648. In spite of his being an army officer and the demand of the seamen for the return of Batten, he maintained his position for some five months. His duties were to maintain the supremacy of the flag, to scatter any forces coming to England from abroad, to patrol the seas between Ostend, Dunkirk and Newport, to collect news and keep the officers employed, to protect the Yarmouth herring fishery and to convoy merchant ships in the Channel. His command was over the Channel guard only, which in 1648 was reduced to one half, "whereby the honour and trade of the kingdom was impaired and hindered, masters of ships being compelled to derive benefit of convoy for strangers."

*Dec. 10th*

21. Among the colleagues of Hales and l'Estrange was Major Keene, who had been by turns a Presbyterian chaplain in the Navy (chaplain to Lord Warwick and minister of Deal), a captain at sea, and officer in the Parliament Army; now he was a promoter of the petition, which he undertook to circulate among the seamen. On the arrival of the petitioners at Sandwich, he reported that not only had the seamen received

his letters, but had declared for the King, the liberties of England and the gentlemen of Kent, having placed those who did not agree with them, 'tween decks amidst great cheering. This commotion was heard by Rainsborow, who had gone ashore to reduce Sandwich and was seen on the leads of the castle flourishing his sword as the last of the gentlemen passed by. Not knowing what had happened, he attempted to embark, but he was refused admission on board the flagship by his men, who told him "that he had nothing to do with them, nor should he be admitted to the Fleet which had declared for the King ... ... whom they would liberate from the Isle of Wight ... ... that they had different designs than those which he would have or would join them in." At the same time they acknowledged his kindness and courtesy as a commander and promised he should receive no injury in person or in goods, which latter should be delivered to him. Seeing that they were in earnest, he desired the loan of a pinnace to take him to London rather than return to Deal. "We cannot spare you," said the coxswain, "the least vessel in the Downs, they are all engaged on a better service. There is a Dutch flyboat" (an express boat) "on shore; you can have a passage in her for London for sixpence." Seeing that in this short interval the castle had fallen into the hands of the petitioners, he went on shore and took his wife and children

on board a Weymouth coaster to London; another account says he went to Languard Fort in a small boat.

22. The officers on the revolted ships wrote to the Commissioners of the Navy to tell them they had secured the ships for the "service of Parliament and King"; and that, refusing to be under the command of Rainsborow, whom they knew was not well affected to the King, they had joined the gentlemen of Kent in their desire that the King should be admitted to a personal treaty; that the Army should be paid their arrears and be disbanded, and that they would admit no commander "who was not resolved to live and die with us, on behalf of the Kingdom and the Parliament."

23. Up to this, Parliament thought this agitation would die out, (since the Mayor of Rochester had repeated that it was caused by the heavy taxes laid upon that city, on the adjustment of which all agitation would cease), but left the conduct of the business to Fairfax, who thought that a rendezvous at Houndslow would be sufficient, until he heard that the men of Essex and Surrey had planned similar meetings at Wanstead and Putney, on which he determined to enter the county in force, if necessary, while a commission was sent down to enquire into the grievances.

24. At the commencement of the disturbances, Lord Thanet, who had helped the

petitioners and had gathered together men from Charing, Ashford and Hatfield, now drew back and was persuaded by the Lord Lieutenant (Lord Pembroke) to go with him to the Committee at Derby House (to gain their sanction to certain proposals which he thought would satisfy those in arms in Kent), by whom he was directed to point out to the leaders the regulations for the presentation of petitions, to advise the surrender of towns and magazines and their peaceable withdrawal to their respective homes, on which the petition would be received in the prescribed way. He was to bring back their answer on the 27th (Saturday) as to whether they would accept these conditions. The Committee sat late in order to receive it; all they received was a letter from Sir Thomas Peyton stating that they desired leave to present their petition, and that they were in arms because it had been stated that the petitioners should be hanged in each parish (the withdrawal of which statement seemed to gratify them), and that they demanded an act of indemnity on their disbanding. In consequence of their hostile attitude, Fairfax was ordered to hold himself in readiness to march into Kent, if the Parliament conditions were not observed.

25. *May 23rd* Two days before this, Mr. Sherman, a minister at Deptford, came to the House with information from the leaders of the people about Lee, that they desired to lay down

their arms on receipt of an act of indemnity. He was authorized to tell them that the House would demand obedience to petitioning regulations and the delivery of the towns and magazines before two o'clock on Sunday morning, on the doing of which they would be admitted to the benefit of the act of indemnity. A letter was sent by Sir Thomas Peyton to the House, which, seeing its endeavours for an accommodation being rendered fruitless and that many of the engaged party continued in arms, "without and against its authority and had taken several maritime forts and withdrawn certain ships from their allegiance," was obliged to leave the matter in the hands of the Lord-General. When the general would have entered the county, those in arms sent a trumpeter stating that their principal officers, General "Squire" Hales, Lieutenant-General Sir Thomas Peyton and Major-General Sir John Mani (or Manny), desired a pass to enable them to treat with the chiefs of Parliament. This he refused to grant, sending his own trumpeter with a message that he could not admit of any treaty with them, nor could he lose any time in prosecuting his purpose; but he told them that, if they would lay down their arms, he doubted not the mercy of Parliament to those who are "abused and deceived," and of justice against those who had been the "chief and eminent actors and

*D.S.P. May 29th.*

*Lords' Journal X 298.*

fomenters of this rebellion." This is the last that we hear of "Squire" Hales, who, having kept his word in remaining with the petitioners until he saw them in a formidable position, left England in company of Mr. L'Estrange; while Peyton was captured at Bury.

26. As to Hammond he was not free from difficulties. A man more worldly-minded would have fallen into the snares that were carefully set about his path; his fidelity to Parliament carried him through them all. A physician, a certain John Neale, living at Kingston-on-Thames, came riding up to the castle gates in a great hurry, in such an exhausted condition that he had to be refreshed with "hot water and spirits" before he could explain himself (besides this, his horse dropped down dead as he dismounted), pretending to be the bearer of a message from Fairfax to the Governor, to warn him as to the vicinity of the revolted Fleet, and to tell him that the Army had come from Ireland with the intention of storming the castle, under its protection. In any case, to prevent his death, Fairfax would have Hammond, repair to Portsmouth, where Colonel Lobb would protect him. On being questioned, he admitted he had no written instructions; but afterwards confessed he had letters sewn up in his waistcoat, addressed to the colonel. One of these was a memorandum as to the victualling of the Navy, which Hammond sent on to its desti-

nation; another, without any superscription, was evidently intended for Lord Dover, requesting him to meet Sirs Edmund Bowyer, Richard Onslow and Ambrose Brown and Major Price at Epsom on June 1st at the latest, (the word of recognition to be "Obey Law") to enable the county to consider the best way of giving satisfaction to Parliament concerning the Surrey petition. Finding that he was known as the promoter of that petition and agent for various delinquents, he acknowledged that his business was to seek an interview with the King to obtain his sanction as to the choice of a leader to carry on hostilities against Parliament.

27. Before the revolting of the Navy, Parliament was uneasy as to the security of their ships and naval stores. They heard of a ship lying off Queenboro to assist in the escape of the King; Rainsborow was sent to watch the mouth of the Medway at Sheerness, with two ships officered by trustworthy men, to intercept all craft going up that river, the banks of which had been fortified. All stores at Rochester were ordered to be placed upon the Fellowship, which was to proceed to sea to prevent the Kentish men from seizing her; the guards upon the Prince and Sovereign at Upnor Castle were ordered to be doubled; while the Tyger and the Providence were sent to Sandwich, eight ships to Portsmouth and three to the mouth of the Colne.

28. The mutiny itself was not so serious as might have seemed at first: of twenty-eight sail in the Downs, two were third-raters and four were frigates and eleven had declared for the King; of these, two returned to their allegiance. It was unlikely that they could do much, for, with the exception of Captain Batten, who, being a Presbyterian, was as unpopular among the Royalists as among the Navy, they had no officer among them capable of handling a squadron. They sailed along the coast, helping the petitioners to take several towns, and would have surrendered to Lord Warwick * had it not been for the presence of certain Kentish men, who knew they could expect no quarter. They then went to Goree, where they placed themselves under the command of the Duke of York, whom they proclaimed Lord High Admiral; the Prince of Wales accepted his invitation to take charge of them and nominated Lord Willoughby de Parham his vice-admiral.

29. Leaving an officer in charge of Sandwich, the petitioners went on to Dover, where they found Colonels Hammond and Hatton besieging the Castle with two hundred horse and five hundred foot soldiers. After taking Bethel's fort, they received further reinforcements of two companies of the town trained bands; but the castle still held out. Thence, the leaders sent

* Reappointed on the deposition of Rainsborow.

messengers to the Prince of Wales, informing him of what was happening and engaging to purchase ten thousand stand of arms and a proportionate amount of ammunition. Leaving the local troops before the castle, they went on to Deal, a thousand strong, led by a "handsome company of forty gentlemen," under a white flag. Bringing up two great pieces from the beach, they mounted them on an eminence near the castle, which opened fire upon them, killing one man. Then the officer in command seeing the men on the shore and the ships at sea were acting together, surrendered on honourable conditions. This was followed by the surrender of Walmer Castle; the garrisons in both instances being allowed to march out with bag and baggage, leaving all military stores without waste or embezzlement. The command of the Fleet was given to suitable persons, who refused to allow the crews to land lest they should lose the control of the sea.

30. Returning to Sandwich, they found the mayor had managed to provide a sum of two hundred pounds towards the prosecution of the petition; going on to Canterbury, the Dutch congregation there raised two regiments, thinking, perhaps, that this was cheaper than being taxed for military purposes.

31. On the Monday fixed for carrying the petition to London, the petitioners went to Rochester, leaving their foot at Sittingbourne.

As the people round Deptford had plundered the government stores and seized a pinnace * whose guns they directed towards London, Colonel Tichbourne was directed to send three companies from Wallingford to Windsor, to replace those who had gone to Colnebrook *en route* for Kent; which were to be replaced by six companies of Barkestead's regiments (from the Mews) and four companies of Tichbourne's (from the Tower). The latter, being placed in charge of the peace of the city, refused to stir until they had received their arrears of pay. At the same time Colonels Willoughby and Temple were authorised to secure the blockhouse at Tilbury for the Parliament and garrison it with fifty men, with provisions for thirty days, besides providing frigates or sloops to patrol the river and to seize any suspicious craft; the latter being directed to use his influence, with that of the master of the Trinity House, to secure the allegiance of the watermen; and Fairfax held a military demonstration on Houndslow Heath. On the following day the city militia were ordered to arrest certain men who had subscribed to papers supposed to relate to secret enlisting, — one containing two rows of figures; one headed Horse, totalling up to 2,500; the other, with the heading torn off, supposed to relate to foot-soldiers, amounting to 2,770.

* A small schooner rigged vessel of 60—80 tons burden, carrying one long 24-pounder (or a smaller gun); manned by 100 men and used principally for coast defence.

32. Several gentlemen came out of Essex and Surrey and informed the leaders that they were ready to take arms if a simultaneous action could be arranged; but as the time was drawing near for the presentation of the petition, they decided not to appear hostile. At midnight, a messenger from the Commons came riding with great speed, bearing the following letter:

> "That, whereas, they did understand that the people of Kent were coming up to Westminster in a tumultuous and pretended petitioning way, they knew not the intention of it and had therefore referred them to treat with the Lord General, the Lord Fairfax and the Committee."

On receiving this, the people about Deptford fell back upon Rochester, leaving a guard at Stone Bridge. On Mr. Matthew Carter being appointed quarter-master-general, he drew up his forces in a field to learn their strength, and found them to number seven thousand foot, well armed and resolute in purpose; these did not include those stationed at Canterbury, Maidstone, Sittingbourne, Sandwich and Dover (about three thousand strong), and the bulk of the cavalry, of whom he could not be sure as they were scattered about the surrounding villages and never joined the main body of troops. His next care was to give

them some appearance of organization, dividing these men between Rochester, Stroud and Chatham and appointing a rendezvous on Penenden Heath (some say Barham Downs) to select a general officer. Lord Holland had a claim to this, as he held the commission from the Prince of Wales as generalissimo of all the forces to be raised in England to help the Scots; but, thinking this movement was premature, he had signed a commission in favour of Sir William Waller and Lord Goring (known as the Earl of Norwich, a title disallowed by Parliament as having been granted since the great seal was taken to Oxford), who was (nominally) on his way to Sussex to arrange as to the composition for his estates, but really watching the course of events in the interests of the queen. A more unfortunate choice than that of Goring could not have been made; a man well-advanced in years, being attached to the queen's household he had seen but little military service. Lord Clarendon says of him: "Of a frolick and pleasant humour . . . . a jovial nature, but he had no experience or knowledge of war, nor knew how to exercise himself in that office he had taken upon himself as general." But it is only fair to add that he only consented to undertake it on the refusal of the Duke of Richmond, with whom he promised to be their solicitor, saying: "I am confident that the Duke will engage with his county; so generously, unanimously and courageously met,

and upon so just, inquestionable and candid a design; and I believe he will undertake the command." At an interview with the Duke at Chobham, this offer was made and refused; and Norwich took up his post as general. He confirmed Quartermaster-general Carter in his appointment, and distributed the men between Canterbury, Stroud, Chatham and Rochester; reserving some 3,000 to defend Maidstone and Aylesford, and sending 1,500 (of whom 600 were mounted) to defend the pass at Deptford. He was aware that Fairfax was advancing towards him by forced marches, and would have stationed strong guards upon the banks of the Medway, but was overruled by certain gentlemen deeply interested in the movement and jealous of his appointment, and "being more of gentlemen of ease than of soldiers," declared that the men were weary and needed rest, and provided the men with comfortable quarters in Maidstone, leaving the river approaches to the town open to Fairfax.

33. When the Parliament general heard from Colonel Barkestead that the Kentish men were to assemble at Blackheath and were to be joined by men from Essex, who were to cross the river by means of a bridge of boats; and that there were already a thousand men in arms round Deptford, many of whom had served, rank and file, in the King's army and were determined, if the county did not rise, to seize the castles and

forts round the coast and secure landing-places for the King's long-expected foreign mercenaries, he sent Captain Gibbon to relieve Dover (by way of the Weald of Kent) after he had cleared away the obstructions at the foot of the hill on which Northfleet now stands, garrisoning Gravesend and reinforcing the troops round Croydon, lest it should be seized by the men of Surrey and prove a source of danger to his rearguard. Gibbon drove away the guards and crossed the bridge; after this, he set out with 8,000 men towards Rochester, passing through Eltham. Finding the Medway fortified and the bridges blocked, he turned to the South, under cover of the North Downs, and arrived at Meopham, where he halted his cavalry to allow his foot to come up. Not knowing his movements, the petitioners withdrew into Maidstone.

34. *June 1st* So close was Fairfax that soon after the reception of Lord Norwich as general by acclamation, he was seen by "perspective glasses" to be on the the banks up Medway. As he crossed Barming Heath, he saw a large body of men near Kit Cotly's House, who, either from want of orders (or of ammunition), took no notice of him. Avoiding the long bridge leading into Maidstone, he still kept to the south, approaching the town on the side of East Farleigh, where the brook Tovil joins the Medway. Thinking his men too fatigued to fight after their long marches, he sent a guard of dragoons to

hold the several passes, while he considered the best means of entering the town, the occupation of which was necessary for the pacification of the country. His scouts informed him that the river banks were lined with musketeers who did not appear to be in touch with the men at Aylesford. These opened a brisk fire upon his dragoons, who returned it; this drew out a considerable force of horse and foot, who were sent out to prevent them passing over the river by the bridge or any of the fords between the town and Aylesford. Fairfax then sent out other troops and the battle became general. Owing to the darkness and the ignorance of the officers as to the topography of the town, it took five hours' sharp fighting to gain an entrance, by way of Upper Stone Street. This was accomplished about seven in the evening "By the great goodness of God!" Shouts of "Truth!" and "Kent and the King!" being heard on both sides. Even then it was not an easy task; a great earthwork had been thrown up at the top of Stone Street; on the town side of the bridge, artillery had been mounted. Two hours were spent in forcing a battery erected at the top of Gabriel's Hill, which the defenders, not knowing from which side the attack would come, had thrown up across High Street, commanding the four ways into the town. Then the petitioners were driven from street to street, firing from the windows of the houses; the 'prentice lads and cavaliers made a gallant

resistance down Gabriel's Hill and Stone Street, until they were driven into the churchyard and surrounded. In the end, two hundred were left dead in the streets and nine hundred were captured; besides 200 stands of arms, 400 horses, eight cannons and nineteen foot-colours; in the morning, 400 more prisoners were brought in from the hop grounds, where they had striven to hide themselves. The women of the town were much incensed against the cavaliers who had forced their husbands to take their part in the struggle. On hearing the guns, reinforcements came in from Aylesford; and Norwich drew out his men on Frinsbury Marshes (some say Penenden Heath) with a view of going to their relief. Before he had advanced very far, he learnt that all communications had been cut off and that Fairfax (suffering from his old enemy the gout, his legs still being wrapped up in cloths) was advancing at the head of three regiments of horse and one of foot. This caused his lordship to return to Rochester.

35. Those who had remained at the latter place, wearied with inaction and worn out by the incessant rains, went on to Blackheath, declaring that if their officers would not present the petition, they would do so themselves. On this, the general called a council of war, to decide what should be done; there were four courses open to them:

1. To fortify Rochester and to await help from the Royalists:

2. To proceed with the petition in accordance with the original design:

3. To attack Fairfax and force their way to London: or

4. To return to East Kent and wait till the whole county had risen.

The officers were in favour of the second alternative, to which Goring (not wishing to appear to retreat before Fairfax) agreed. He sent Colonel Hatton to Sittingbourne with 1,500 men and Sir Richard Hardresse to represent him in East Kent and to raise recruits to protect his rear. But he did not foresee that the *venue* of the struggle was about to change, and the men of East Kent, stronger in horse and artillery and better armed than his own men, would not be able to join the main body. Parliament, too, now treated this insurrection as a serious matter and sent Major Osborne, who defeated Colonel Hatton's horse, to drive Hammond from Sittingbourne; and Sir Michael Lusey threw his influence into the scale of the Parliament and enlisted recruits for them.

36. Arriving at Deptford at midnight, Goring sent an order for Hammond to join him, which he never received, and wrote to the Lord Mayor, asking assistance in his passage through London and promising to abstain from all acts of violence and damage. This letter was sent to the Speaker unopened, and its only result was the doubling of the city guards.

37. After seizing various stores destined for the Irish service, they encamped in Greenwich Park. After seeing the men in quarters, Lord Goring, who still expected help from Essex and was told there were two thousand men under arms at Bow and as many at Chelmsford, secretly crossed the river, leaving as his deputy Major-General Sir William Compton, who with difficulty obtained a sufficient quantity of bread and cheese for his famished men. At dusk, a man rode through the Park, saying if a large force were sent to the Borough, the inhabitants would rise. He was told that this would be done, if he could assure them of the truth of his statement; he rode away and nothing more was heard of him.

38. Another man followed him and told the men that theirs was a position of great danger; that their officers had deserted them and were making terms for themselves. This obtained the more ready credence from the absence of Lord Goring and the scarcity of provisions: a panic ensued; all made for the water's edge, the more seasoned soldiers trying in vain to restrain their comrades. Clarendon mentions (State Papers) that they crossed by a bridge of boats; but this is unlikely, since Parliament had ordered Messrs. Willoughby and Thompson to seize all the shipping on the Thames and to patrol the banks of the river on both shores with shalloops. It is more

*Perspective View of Colchester.*

# BOOK V

## ESSEX IN THE XVIITH CENTURY

1. In order to understand the exact position of affairs in Essex, we must understand the place Essex held towards the middle of the seventeenth century.

2. As early as the 14th century, Colchester and the surrounding neighbourhood, including Coggeshall, Dedham, Langham and East Bergholt, were manufacturing centres, as well as Witham and Braintree, of which the last only preserves its ancient industry. In the reigns of Edward III. and Richard II. woolmongers, cardmakers, combers, weavers, clothiers, fullers and dyers are mentioned in the Oath's Books and Court Rolls of Colchester. About 1570, eleven Dutch families, numbering some fifty souls, came from Sandwich, and remained longer than was customary for strangers. They said that some two hundred more were waiting to follow them, to practise "Sciences" unknown in the Eastern Counties, such as making sacks and needles and preparing parchment; in the pursuit of which they would neither be an encumbrance to the town nor rob anyone of his work, but would re-edify the decaying trade. In return

for hospitality, they promised to obey the laws and customs; for they were known to be orderly, God-fearing and civil men, not given to rioting or excess. So favourite a residence did Colchester prove to be, that in ten years' time there were more foreigners than the town could bear; and it was agreed that none but members of the Congregation (as proved by the Town Clerk's register) should be allowed to remain; all others were to "avoid" the town before the Nativity, under a penalty of 20*s.* a week, to be paid by the owners of the houses in which they dwelt. In 1590, in spite of the efforts of the Privy Council, certain Hollanders came in from Halstead (which they did not appear to like), and Lords Leicester and Sussex, as well as Lord-Keeper Bacon, recommended the burgesses to let them remain so long as they exercised their craft and were obedient to the laws; but in the following year it was enacted that all strangers, English as well as Dutch, should erect a lattice, at least eighteen inches high, before their windows. These *Uitlanders* were certainly to be sought after, since they provided work for the poor; but, as Uitlanders, they were regarded with suspicion and were indicted at Quarter Sessions for assembling themselves into a company; for settling fines to be paid by the subjects of the King and for "searching the manufactories of the New Draperies." The King cleared them from these charges and gave them a comprehensive

charter. As to "searchings," they were to be kept up to maintain the quality of the cloth. We read, elsewhere, * that at Ghent, every piece of cloth brought to the market was examined, and, if found faulty, exposed to public view from a ring in the market place. At Colchester (and wherever a Dutch Congregation existed) each piece of cloth was examined and stamped by the Congregation as to the texture, length and width; the fine for all defects went to the relief of the English poor. There were four qualities recognised:

*Rents;* without any selvage, marked with two seals:

*Cuts;* the end of which was cut diagonally, marked with three seals:

*Crowns*, marked by four seals: and

*Crosses* with five.

Besides these seals of quality, there were aulnage seals as to the length. So highly esteemed were these tokens that cloth so marked was bought and sold without examination, until it was found that, in 1558, the men of Halstead had counterfeited them. The cloth known as "Bay and Say" † was made in Colchester as late as 1728; after which the manufacturers removed to the West of Eng-

* "Le Tribune de Ghent."—Henri Conscience.

† Bay, a light woollen fabric originally of a *bay* colour, introduced into England in 1561, by refugees from France and the Netherlands; and Say, a kind of silk or satin, which, in the sixteenth century, seems to have been a fine thin cloth.

land, where they found cheaper fuel, provisions and labour and plenty of cheap water-power; and thence to the coal-fields of Yorkshire.

3. It may be that the infusion of the blood of these refugees from the religious and civil tyranny of Spain and France, their habit of thinking for themselves and of sacrificing immediate gain for principle had a great influence in propagating and maintaining a democratic spirit in the Eastern counties, which seems to have died out of them now. During the whole Civil War, Essex as a county was loyal to Parliament; as early as 1628 the trained bands had to be called out to repress a mutiny among the troops raised to support the King of Denmark against Catholic Germany; in the same October, Colchester raised ten men (and £8 coat and conduct money) as its proportion of a thousand men to be impressed in the county for service against France: probably the popularity of the Huguenot cause made this more acceptable to the people. Under a writ of ship money, 1636, the county was required to furnish a ship of 640 tons burden, with a crew of 526 and £8,000 to equip the same; of this sum, Colchester, Thaxted, Maldon, Harwich and Saffron Walden were to pay £400, £40, £80, £20 and £80 respectively. Two years later Ipswich, Harwich, Maldon and Colchester (as well as Orford and Dunwich in Suffolk) were returned as having neglected to provide a ship of 700 tons burden, fully equipped. An order

in Council (Nov. 9th), complained that Colchester was very slow in obtaining its quota; another (Jan. 21st, 1639,) expressed the King's willingness to accept a sum of £6,615, as a ship of the required size could not be found; at the same time the town council was ordered to find another £8,000 towards the cost of a ship of 800 tons burden; regarding this as an infringement of their franchise, they first of all refused to pay it, and then pleaded poverty and dulness of trade. In January 1642 the inhabitants signed a comprehensive petition against the penal jurisdiction of the bishops and for liberty of conscience; the better government of the Church in accordance with God's Word, and the strengthening of the town walls and the blockhouse at Mersey. After this (Aug. 22nd) they seized Sir John Lucas as he was setting out for the North with about a dozen armed horsemen, insulted his mother and his wife, with his chaplain Mr. Thomas Newcomen, plundered his house at St. John's and are said to have violated his family grave in St. Giles'. Some of these offenders were arrested and sent to London, but were released. In November, they sent a company of soldiers to London to protect the city against the King, for the maintenance of which they provided £285.10*s*. In December they joined the counties of Suffolk, Cambridge, Isle of Ely and Hertford in an alliance, offensive and defensive, with a view of keeping the Civil War outside their boundaries, and raised

200 dragoons for Parliament. In the following year they raised a company of foot for Lord Manchester; and the town that could not raise £400 and its quota of £8,000 for the King, paid something like £30,172 for the use of Parliament in six years.

4. As we have already seen, the petitioners ran into the Parliament troops of Middlesex after crossing the river. The Tower Hambleteers refused to let them land unless they had laid down their arms and disbanded. On this demand Sir William Compton stood forward and would not permit his men to advance until he had agreed with the major in command:

5. "That all on foot should lay down their arms and depart to their homes, or where they pleased, without any violence or molestation being offered to them; and that all officers and gentlemen should march where they pleased, without suffering any molestation." In the confusion of the dim morning twilight, some of the gentlemen being taken for private soldiers and disarmed contrary to this agreement, the remainder broke through the lines and, after a sharp encounter, went as far as Bow Bridge, taking with them the major and other officers of the Hambleteers. At the east end of this bridge was a turnpike, separating the two counties and guarded by a detachment of Skippon's musketeers, who had been posted there on the news of the defeat at Maidstone.

Giving a friendly answer to the challenge, they were allowed to pass; they went on to Stratford, where, after confining their prisoners in Bow Church, and releasing them on parole, they were met by Lord Norwich, who felt considerable alarm at hearing that they had crossed the Thames; drawing them up on the green, he distributed among his exhausted soldiers such refreshment as the place could supply.

It was now evident that they could no longer be regarded as a peaceable deputation seeking to present their petition in a manner agreeable to Parliament. Norwich, anxious for their safety, returned to Chelmsford, again leaving them in charge of the Major-General, who directed the quarter-master, Carter, to find accommodation in the village. To do this, he went to the constable, who took him to a magistrate. The latter questioned the legality of harbouring so large a number of armed men in a district at peace with Parliament, from whom they had but recently received an act of indemnity, which, he knew, would be worthless in the event of fresh hostilities breaking out. Carter replied:

> "That as to the power by which he quartered the army, it was by commission of the General, and that he quartered them in that place by immediate command also from him; and that as to our coming into

that county, it concerned him not to dispute it; neither could he give any other account than the engagement between these counties and their General, the Earl of Norwich. And if they wanted any further satisfaction in their desires they must receive it from the Lord-General himself." To this, Compton added: "that they would remain there no longer than was necessary to rest their men." And, in this manner they obtained lodgings for the men till Wednesday.

6. When Fairfax had routed the Royalists at Maidstone he remained in that neighbourhood to bring about the pacification of the county and to win over the revolted ships with an act of indemnity, sending Whalley with five hundred horse to keep the petitioners in touch and to join the Essex county forces under Honeywood at Braintree by the 14th. Had Whalley attacked them on their arrival at Stratford, he could easily have crushed them, as they were worn out with hunger and fatigue; but he contented himself, after giving them an alarm, with retreating to Mile End Heath, leaving the Tower Hambleteers to their fate.

7. Norwich had found Chelmsford in a state of confusion, the people being favourable to Sir Charles Lucas, who had received a commission from the Prince of Wales, as General of the forces to be raised in Essex; the only dissentients being the

members of the Parliament Committee (Sir William Masham, Thomas Ayloff, L. Barnardiston, J. Langly, Robert Evans, Robert Smith, J. Middleton, Samuel Sheffield, Isaac Eden and William Rowe) who, being in session, would have dissolved the royalist meeting under a "specious act of indemnity and would have continued the right of voting away the lives and estates of their county men; and, under pretence of examining the petition," (have) "threatened and deluded the weak-sighted petitioners to sign a petition of contrary import." It was only by placing them in the county gaol that they were protected from the enraged populace, and two of their number (Sir Harbottle Grimstone and Mr. Charles West) were sent to Westminster to obtain a real "act of indemnity, which, had it been granted, would have prevented waste of honourable blood and ruin." Parliament made an answer through Whalley, who informed Lord Norwich:

> "That having by violence and means unusual to soldiers and men of honour compelled Sir William Masham and others of the Parliament" (Committee) "of Essex, sitting at Chelmsford, to write to Honeywood and Cooke that they should not advance against the disturbers of the peace, that he" (Whalley) "was desired to tell them that if they departed from the rule of war and the customs and

practices of nations, they must expect retaliatory measures, and that they should not be able to serve themselves of those practices to their advantage."

8. *June 8th* From Stratford the petitionary body marched to Brentwood, still closely pursued by Whalley; at Shenfield they were joined by a strong party of horse and foot under Sir Charles Lucas, Sir George Lisle (with men from Essex and Herts), Sir Bernard Gascoigne (a captain of Walloon mercenaries) and fifty mounted men who had met together at Hyde Park Corner, with a view of disturbing the county round about Epping; as well as by Lords Capel and Loughborough. The whole force was estimated to consist of three to five thousand men; and Colonels Scrope and Evans were directed to join Whalley at Brentwood, with their several companies of horse and foot.

9. That afternoon they were drawn up at a rendezvous at New Hall Park (Boreham), then the seat of the second Villiers-Buckingham (whence his father "Steenie" had set out, with "Baby" Charles, on his Spanish Adventure), where a council of officers decided to attack Mark's Hall (near Coggeshall), the residence of Sir Thomas Honeywood, the chief Parliament supporter in the north of Essex. Stopping at Chelmsford, where they remained a few hours, receiving provision and assist-

ance from all parts of England, they left, followed by Whalley, who had been encamped on a common close by. * On their way they attacked Leigh's Priory, (called by Carter, a Kentish man, *Leeds House*) the property of Lord Warwick, which was defenceless, being garrisoned by some ten old serving-men. It was soon taken:

> "The enemy looking on us at a distance, for which respect we must acknowledge with thanks to Colonell Whaley; for had hee attempted us, in all probabillitie, wee had been broaken, he having above a thousand old horse, and we not a hundred in any forme that wee could trust, and wee marcht over Leed's Parke in a very large compagnia, but wee have since understood the colonell's character to be a very merciful man in the field, but bloudie at a courte of war."

The insurgents found acceptable spoil; two brass field-pieces, sixty great saddles, armour, pistols and "carobines", with three hundred muskets, match, ball, powder and pikes; thus providing arms for the "gallant youths the apprentices, who had braken their indentures to keep their allegiance." Here, too, they were joined by "Colonell Sawyer, a gentleman who had formerly served Parliament, but being now undeceaved had come to

* ? Galleywood.

make atonement for his fault and acquitted himself with great honour and industrie through the whole action, with about 140 horse." This brought their number to about 6,000 men, of whom only 2,500 were mounted; for the most part undisciplined and devoid of any commissariat; officered by men more used to living on their own estates than to command troops in the field; Lucas being about the only one of experience among them. That night they spent in Braintree, where on the morrow (Sunday) they were "digested into several troopes" under Lords Norwich, Capel and Loughborough; Lucas taking charge of the Essex men.

10. *June 19th* Whalley now moved on to Witham, between which place and Chelmsford he defeated some four hundred horse intended to form a bodyguard for the Prince of Wales on his landing at Yarmouth as commander of the revolted fleet. He reported to Parliament that the county was friendly to him and that the enemy was about three thousand strong round there. So alarmed was Parliament by the danger threatened by the revolted fleet, that they ordered the commander at Tilbury fort not to let any ships laden with material of war for the North to pass his fort, lest they should be captured.

11. The presence of so many armed men kept the Eastern Counties in a continuous state of ferment. The Lord Lieutenant of Suffolk was ordered not to let them pass through

his county on their road to the Isle of Ely, which Colonels Manton and Hobart were directed to put into a state of defence, drawing men from Boston for that purpose, if necessary; while Colonels White and Rossiter, in charge of Huntingdon and Leicester, were cautioned to guard the "ways and passes" against those who had recently been in arms with Goring in Kent and who might break away in "two's and three's" towards the North. Cromwell was ordered to send all the men he could spare to the north of England to prevent any of the insurgents joining the Scots, and Ewers was again commanded to join Whalley at Brentwood, as the enemy were receiving reinforcements daily; the latter officer having captured two hundred horsemen of unknown quality, who had but recently come out of Kent.

12. *June 19th* Hearing that Fairfax had crossed the Thames and had joined Whalley and the Essex "rebels" under Honeywood, Haerlackenden and Cooke, and fearing that he could not defend Braintree if attacked, Norwich sent some "Engeneers" to take possession of the gates of Colchester; assuring the alarmed townsmen that Lord Capel having given Fairfax the slip at Maidstone, and left sufficient men to resist him at Rochester, had crossed the Thames, had been enthusiastically received at Chelmsford by Lucas, Lisle and Cooke and was advancing, at the head of two hundred men, to take

up residence at Colchester. These were accompanied by drummers to 'list any poor weaver lads who might be out of employ to swell Lucas' regiment to a strength of 800 men. Fearing he might be surrounded in an open town like Braintree, Norwich withdrew his men towards Halstead, as if going to the Isle of Ely; this he was seriously blamed for not doing, although it would have been impossible to march his 4,000 undisciplined men, closely followed by 3,500 horse and 4,000 foot, across a hostile country like Suffolk. Others blamed him for not taking possession of the Block House at Mersey Island, five miles from Colchester. In any case, the townsfolk of Colchester saw to their great alarm on June 10th, about six in the evening, a large body of men, over 4,000 strong, (3,994 surrendered at the end of the siege) of whom 600 were mounted, 2,500 badly armed, and 900 wanting arms altogether, approach their walls.

13. Closing their gates, they drew their trained bands across the road, supporting them with some sixty well-armed horse, which had been raised with a view of "aweing the poor, grown mutinous through decay of trade." Most of these latter were from Dedham and Bardfield (Bergholt), towns largely inhabitated by:

> "workmen who, being poor and populous, are naturally tumultuous and bold; and their masters who set them to work being generallie

> sordid men whose passion for their profite gave them such continuall jealousie of the decay of trade that Parliament—whose constant stile was of commerce—found them allwayes disposed to receive their impressions and derive * them to their workmen; so that the clothiers through the whole kingdom are rebells by their trade, but these townes breed an officious race of traytors, who unsummoned are still volunteers in rebellion."

About a thousand of the inhabitants broke through the town guards and welcomed the newcomers as deliverers from a "tedious servitude under a rebellious magistracy."

Lest the obstinacy of the disaffected might involve the innocent in equal danger, Norwich sent forward Colonels Tuke and Macey (?Maxey), both Essex men, to "remonstrate the design of the petition" (which appears even now to be a convenient stalking horse), assuring the inhabitants of indemnity of life and fortune to all except those who show "premeditated malice by opposing their entry"; the rest of the soldiers being considered as municipal guards. The supposed offenders were disarmed, but were left at liberty; on the condition that all lives and fortunes in the surrendered town "were to be at the mercy of Sir Charles Lucas who hath received the reward of his

* Derive: = Turn aside.

Christian character, while the barborous murderers are persecuted with their own guilt." On the advance of Sir Charles, the magistrates saw the uselessness of opposition, opened the gates and admitted them, on condition that the rights and franchises of the town should be respected and that no compulsory military service, tax or subsidy should be exacted. The four thousand men marched into the town and were drawn up in the courtyard of "Lord Lucas his house" (St. John's Abbey) outside the walls; being the only place sufficiently large to accommodate so many men. Here they awaited the rations that the townsfolk had promised to bring them; but they were so distracted by such a large number of men, that they allowed them to suffer want, and it took all the skill of the officers to appease a mutiny; to avoid this, the soldiers the next morning were taken out and quartered among the inhabitants.

14. Goring had just sought the shelter of the walls in time. After receiving the submission of five of the revolted ships, thus reducing the number to three, defeating the Royalists left at Rochester and reducing the county (with the exception of one or two of the castles in the Downs), Fairfax reported to Parliament that one regiment of horse and one of foot would be sufficient to maintain order; and, after hearing a sermon at Gravesend, crossed the river with

great difficulty, followed by four regiments of foot and a hundred horse; arrived at Horndon on the Hill; arranged a rendezvous of his troops at Billericay; ordered Honeywood to hold the "passes" at Maldon, and, fearing the worst, pushed on to Coggeshall with a handful of horse, having covered fifty miles of bad cross-country roads in forty-eight hours. Hearing that Norwich was heading for Colchester, he left Coggeshall and joined Whalley and Honeywood at Lexden with two thousand horse and foot, who told him that he had entered the town. He then established himself on the London Road and ordered all the roads to be well watched.

15. Not anticipating any difficulty in overcoming such a motley crowd of lords, knights, weavers, 'prentices, watermen and mercenaries, he contented himself with sending a trumpeter to Goring:

> "My Lord, I am come hither with the Parliament forces to reduce those under your command to the obedience of Parliament. If your lordship and those under you, will instantly lay down your arms, there will be a prevention of much blood that is likely to be spilt, and the town preserved from plunder and ruin. The evil must fall on you if you refuse. Your servant, Thomas Fairfax. June 13th, 1648."

16. To this, Goring sent a not very courteous reply, in which he said that he had heard that Fairfax "suffered from the gout, but that he would cure him of all deseases," adding that if he "would lay down his arms, he would entreat the King in his favour." Goring now viewed the fort of St. Mary's where the big guns had been planted; and, after posting guards outside Head Gate, told the townspeople that they were under the protection of the King. Owing to the negligence of his scouts, the Parliament troops were allowed to come within a musket-shot of the walls, before the alarm was given. After some resistance the royalist foot, having exhausted their ammunition, retreated into the town. The reserve troops followed them as best they could; entering the gate, they were followed by the Parliamentarians, who continued the struggle in the narrow streets. At last they shut the gates by main force in the faces of their enemies: and the bolt being missing, Capel, who, finding his horse useless, had dismounted, supplied its place with his cane. The walls were manned as the leaguers managed to take some little advantage of some houses near St. Mary's Church, whence they leapt into the town, finding their graves in the churchyard. Sir William Compton and other officers were slain, and some prisoners taken; but the enemy "swelled the list to a far greater number, by putting in the inhabitants of the suburbs, whom they took out

of their houses." During this action Fairfax sent in another summons to surrender; "a most unsoldierly-like proceeding, despised alike by soldiers and by men!"

Drawing off his men at midnight, with a loss of two cannons, he ordered the suburbs to be fired, posted guards on the Maldon and Chelmsford roads to prevent any help coming from those quarters, and sent for trained bands from London and from Suffolk, giving orders for the passes into that county to be closely watched.

17. The Parliament Commissioners were safely lodged in the King's Head in Head Street, where they were allowed to fly a flag and to communicate with Fairfax from time to time. When the authorities heard of this, they sent down twenty Royalists including Dr. Wren (bishop of Ely), Lord Cleveland, Mr. Ashburnham, and the eldest son of Lord Capel as hostages for their safety, to be treated in the same way as Sir William Masham.

18. The besieged sent out a force under Major Tuke to take possession of the Block House on Mersey Island, commanding the estuary of the Colne; but they were too late, it was already in the hands of Fairfax's dragoons. As there were two of the revolted ships in the river (one of 11, the other of 10 guns), Tuke sent to Harwich and obtained their assistance. An engagement took place and a party of dragoons went on board the ships to strengthen the crews.

Goring hearing the guns, sent a body of horse down the river; they arrived just in time to see the two ships towed ashore as prizes. This is, perhaps, one of the few instances of cavalry taking part in a sea fight.

Captain Zankey captured two culverins, two sakers and a drake on Mersey Island; Captain Peacock of Harwich offered to defend the mouth of the river so long as Fairfax held the Island; and on June 16th the investment of Colchester was an accomplished fact.

# BOOK VI

## COLCHESTER AND ELSEWHERE

1. It is far from our purpose to drag the reader through all the every-day occurrences of the siege of Colchester. We will endeavour to summarise the leading details of what happened, there and elsewhere, from the beginning of June to that fatal morning of August 28th, on which Sirs Charles Lucas and George Lisle laid down their lives for the cause they loved so much, if so unwisely. It is not for us to say whether it was the latter or not; it certainly was the former.

2. The town of Colchester is pleasantly situated on the crest of a considerable elevation, with a steep slope down to the navigable river Colne which flows at the foot of the hill on the north and east sides. The walls were of considerable strength, being formed by the remains of the Roman fortifications, and had five gates, flanked with towers and pierced for musketry. The North Gate leads to the bridge crossing the river, over which is the road to Ipswich; the East Gate to the Hythe or port of Colchester and to Tendring Hundred; on the South, St. Botolph's Gate was strengthened by

the ruins of a priory of that name and, the Sheere and Head Gates both on the south side; the latter being the entrance of the London Road from Lexden. In the North East angle of the walls, well within their oblong enclosure, is the strong castle; a square keep, not unlike those at Rochester, Norwich and London, (being larger than the latter as it measures 155 by 113 feet against 116 by 90 feet), built of stone mixed with rubble and brick from some older Roman structure. A great source of strength was the vast stores of some 2,000 quarters of wheat, rye, barley; currants, raisins, starch, oil, wine and vinegar and 70 barrels of gunpowder belonging to the merchants of the Bay and Say trade at the Hythe, "a parte of the East Suburbs were a small river runs into the creeke." Besides these, there was an abundant supply of ball and match and 1,000 stand of arms in private hands. It would, therefore, seem that Clarendon was wrong when he describes Colchester as "a great and populous town . . . . . altogether unfortified"; and says that when Fairfax viewed it, "he saw it without fortifications." Indeed, a writer so familiar with the town as Morant expresses his surprise that Fairfax should have undertaken a formal siege or spent time in blockading so weak and so unimportant a town; but the truth is that he saw it was necessary to prevent such a large body of Royalists overrunning the Eastern Association and lighting such

a fire in England that he would be unable to extinguish, even at the cost of a slow, formal siege.

3. Fairfax had underestimated the strength of the walls and the possibility of cohesion among the royalist ranks,—gentle and simple, lords, knights, apprentices, watermen; men armed and men unarmed,—and relied upon the want of sympathy between inhabitants and garrison. But the ever-vigilant Parliament had given him such orders as to render his adversary's escape impossible.

4. And Goring is considered to have made an error in selecting Colchester as a temporary resting-place for his men after their trying marches from Greenwich. Doubting the power of Fairfax, who had followed him so quietly to hem him in, he hoped to remain just long enough to raise recruits at the magic sound of the name of Lucas, till then all-powerful in Colchester and North East Essex and then to slip away to the Isle of Ely and remain entrenched till the struggle between Parliament and Army (on the question of policy and arrears of pay), the action of the mutinied fleet and the outbreak of troubles in the North and West should re-open the floodgates of civil war, when he would obtain permission of the Prince of Wales to join the invading Scots. And the two commanders were alike justified in arriving at their conclusions.

5. When Fairfax saw that Goring was about to hold out and defend the town to the last extremity, he retired to Lexden to prevent any communication with the City and any reinforcements coming from the West (June 14th). In four days' time, he had under his command some six thousand men, including four troops of his own horse; the Ironsides under Fleetwood and Ireton (1,987 men); three squadrons of horse under Scrope and Ewers; two regiments of foot under Barkstead and Ingoldsby; as well as 710 horse and 2,400 foot drawn from the trained bands of Essex, Suffolk, and Cambridgeshire. To Whalley was assigned the East Gate. To Ewers the North Gate; farther to the North were the Cambridgeshire and Suffolk militia; and troops were stationed at West Bergholt to prevent any slipping away and joining Langdale in the North. The Royalists made Goring governor of the town; Capel, president of the Council; Loughborough (a civilian), chief of the commissariat; and Lucas and Lise commanders over the foot and horse; the former being more especially the leader of the Essex men. Besides this, the armies were unequally matched; the besieged had not enough horses to make their escape across a "champaign" country; and the leaguers not only had plenty of horses, but an infantry capable of sustaining cavalry charges.

6. The leaguers soon set to work and threw up Fort Essex on the Sholand to command

the guns (spoils of Leigh House) mounted on the tower of St. Mary's Church; besides this, it afforded shelter to 1,000 men of the Essex forces and eight guns, well-calculated to protect Headquarters from attacks by the royalist horse, which was supposed to be scouring the country. * The completion of this work showed the Royalists that Fairfax was in earnest and that their best plan would be to lie quiet, and keep the army under Fairfax idle, till the Scots should be able to invade this country.

7. The first care of Fairfax was to secure fair treatment of the captive committeemen; writing to Norwich he requested that his messenger might have an interview with them (June 17th), at the same time notifying to him that he had about five hundred prisoners; on receiving the number and quality of the men he had lost in the first engagement, he was willing to negotiate an exchange. The trumpeter "did see the illustrious prisoners," and, after having been delayed on account of the "hourly action and motion," returned with a letter signed by Goring, Lucas, Loughborough and Capel, enquiring "the names of the gentlemen and soldiers of their party who were now prisoners, and desiring the trumpeter to speak to the better sort that they might know what efforts were being made for their liberation." On receiving the desired information, they said there were so many

* This remained visible until Michaelmas 1742, when it was filled up and levelled.

names they did not know and so many who belonged to the county trained bands that they declined to treat; thus plainly admitting that "the cavaliers do use their seduced men only for their own purpose." Of course, Fairfax could not keep and guard so many men as five hundred, and he decided upon giving them a sharp lesson. On June 19th the married men were dismissed on parole, to go to their own homes; of the single men, every fifteenth man was shot; in the case of the Londoners and Kentish men this was enlarged to every fifth man; those whose lives were spared were sent across the seas.

8. Sir William Masham and his colleagues obtained from Goring permission to make overtures for peace; but the only terms to which Fairfax would consent was a surrender of the town within twenty-four hours; the common soldiers to lay down their arms and depart to their own homes; the lords and gentlemen to submit to the will of Parliament, and the stores to be delivered up without spoil or embezzlement. These were indignantly refused, for on the previous day (17th) two ships had come in from Kent with 36 men and a quantity of corn. After these had been unloaded for fear of the Parliament ships, at Harwich, the "great ones of Colchester" placed their goods on board, ready to escape by sea. In addition to this, their spirits were raised by the news that the King's horse had got as far north as Cambridgeshire;

but the ever-vigilant Fairfax sent a flying column under Major Sparrow and Captain Wallingford, who defeated them at Linton on the 19th.

9. So frequently did the overtures of Masham reach Fairfax that he refused to listen to them, thinking they had been forced from him by constraint. All he would agree to was that Goring should send a messenger to Parliament (whose servant he was) to sue for peace. His answer was:

> "We do not without evident reason conceive ourselves to be in a condition to resist all the force you can make and therefore to give courage and opportunity to all true-hearted Englishmen to recover their antient and well-known laws; or, if you venture to attaque us, we doubt not by the mercy and assistance of almighty God to give you such a repulse as shall give testimony of our force and courage and at what rate we value the general peace of the kingdom.
>
> "Norwich, Charles Lucas.
>
> "June 20th, 1648."

Fairfax refused to enter into correspondence with Sir Charles Lucas as being one who had broken his parole, honour and fidelity, being still a prisoner to Parliament and, as such, incapable of military command. To this he indignantly replied:

"In your letter sent by your trumpeter to my Lord Capel you make an exception to me as still being a prisoner unto your lordship. Sir, I wonder that you should question me of any such enlargement, since I purchased my freedom and estate at a very great price which I paid into Goldsmiths' Hall; for which, according to an ordinance of both Houses, I was to enjoy my freedom and safety."

This question will be fully entered into later on. *

10. *D. S. P. July 19th* Captain Brandlyn was ordered to prevent any communication between Kent and London, and the embarking of able-bodied seamen from Ratcliff and Rotherhithe for the revolted ships or for Colchester, by patrolling the Thames in the Tenth Whelp, to visit ships and secure those seamen whose papers were not in order, and to seize all arms and ammunition.

11. Not knowing of the defeat of the Royalist horse near Linton, Goring sent out several gentlemen to raise recruits in Cambridge, Norfolk and Suffolk, but so well did the trained bands of the latter county keep the various bridges and passes that they were compelled to return.

12. On the 21st the cloth merchants felt the depression of trade so keenly that they petitioned Lord Norwich to allow the usual

* See Book VII: Væ Victis.

fortnightly convoy to start for London. This was readily granted; but it was necessary to obtain permission of Lord Fairfax as well. His answer was that they should have reckoned up the cost before admitting hostile forces into the town. After reminding them of their former contentment and general prosperity he pointed out that the present crisis was not due to him, but to those whom they had admitted, to whose advantage it would be to lessen the number of mouths to be satisfied. He, therefore, could not consent to grant them a privilege so prejudicial to Parliamentary interests. The surest way of remedying such a state of affairs would be by bringing about a peaceful condition of the town, county and country; he had already offered favourable conditions to Lord Goring, of which, it may be, they were ignorant. Still, he had in the camp certain persons of quality and tradesmen of substance who would be willing to buy all the cloth in Colchester, paying for it a fortnight after the surrender. Contrary to any precedent, he would allow them to bring their goods out of the town as far as Lexden Heath every week, to be sold or taken back. These protracted negotiations aroused the alarm of the besiegers who were told that Langdale was coming south to cut off Fairfax from the rest of the Parliament troops; that London had been taken and plundered, and the Lord-General had offered him £50,000 to be allowed to raise the siege quietly.

13. Goring sent (22nd) a trumpeter to the Suffolk forces at Cattaway Bridge and Neyland, to assure them that his coming to Colchester was in the interests of peace, and to protect the hundreds from pillage and rapine, and without any intention of levying war upon the county. If the Suffolk men had not responded enthusiastically to the call of Fairfax, they were anxious to keep war out of their own county and sent 2,500 men to Mile End, over against the North Gate; still maintaining their position at the passes and bridges. In spite of the protestations of Lord Norwich as to plunder, two hundred Royalists forced their way through the leaguers and the Suffolk forces as far as Bandfield, which Sir Harbottle Grimstone had fortified on the London side. Here they turned his lady out of doors, and plundered and reduced the house to ruins; ten troopers were captured within three days, laden with booty thus obtained.

14. *Beaufort MS. Com. Hist. MSS. XII. App. 9.* And the besieged were not idle: "Like Jews in Jerusalem, with swords in one hand and trowells in the other (they) began to repair the ruines of our walls which were many, this town one of the antientest foundations of the kingdom."

And they strengthened East and North gates, planting guns they had obtained from Wyvenhoe on the North Bridge. Contrary to the agreement they made on entering, they called upon all males,

between sixteen and sixty, to bear arms; and a fine was levied on the town. Still, the liberty in municipal affairs was observed, and two royalist Aldermen were replaced by those favourable to the Parliament.

15. There was some shadow of reason in Norwich's idea of the state of London. An attempt to rescue the royalist prisoners confined in St. Peter's Gate House (Westminster) was only frustrated by the good temper and resolution of the guards. Dr. Dorislaus warned Hammond of an attempt to be made to rescue the King by means of the revolted ships; and as Warwick still required a few days to complete the equipment of his fleet at Chatham, Fairfax was directed to send three hundred men, whom he was to replace by local recruits to the Isle of Wight. In the south of England, the Royalists were very active; the county magazine was seized at Horsham and an attempt was made to collect a hundred horse, scattered round about London, in order to make Dover a safe landing-place for the Prince of Wales. Lusey was ordered to attack any force that might be raised by Lord Holland, and the Lord Mayor was instructed to use his influence with the Trinity House to preserve order among the Thames watermen.

16. On Sunday (June 25th) Mr. Owen, the Lord-General's chaplain, preached a sermon on the subject of Fire and Faggots. On the

following day, Fairfax received two kegs of salmon, two of sturgeon, venison, wine, vinegar, salt and twelve dozen pullets. Two of the besieged were killed near Mile End, and twenty prisoners (among whom were eight Kentish men and two 'prentice lads of London) were taken; as chewed bullets that had been rolled in sand and poisoned were found upon them, they were immediately shot, and representation was made to Lord Goring that if this practice were continued, no quarter could be expected.

His lordship admitted that they were rough cast, but the best he could obtain under the circumstances of the siege. Later on (July 5th) a bullet was extracted from the leg of Lieut. Shambrook, which appeared to have been coated with verdigris. It may be easily imagined that these practices much enraged the soldiers against the besieged.

17. *June 30th* At last the Hythe with its large store of provisions was captured; this not only was a great loss, but cut off all hope of communication by water. The depth of the trenches prevented much damage being done by the guns, but those on Grimstone House proved a great source of annoyance and many of the guns were silenced by want of ammunition; in fact, Lord Capel offered a reward of sixpence apiece for all bullets brought to him. On the news of the capture of the Committee-men, Parliament sent the son of Lord Capel to Fairfax to be dealt with as he should think fit. At first, he proposed to exchange

him for Sir William Masham; this, his father refused to listen to, saying, "that he considered it an honour to see any of his paying in their misery what they owed to the King; and that he thought the preying upon the father's feelings was most inhuman." Lady Capel petitioned the Lords that he should be treated the same way that Goring treated the Committee-men; this was commended to the House of Commons, who instructed Fairfax to do in the matter "as may be compatible with the justice and honour of Parliament."

18. The Commons now proposed that a treaty should be made with Charles, if he would agree to recall all declarations against Parliament, establish Presbyterianism for three years and yield the control of the military forces for ten years. In the Lords this resolution was passed without any conditions. His long captivity was making his position extremely perilous and all the Royalists were casting anxious eyes upon him. Kent seemed to be lost to him and all troops were withdrawn except three regiments under Colonel Rich and Major Gibbon to maintain order.

19. The position of Colchester was watched with extreme interest. A scheme was set on foot to obtain men in the North and to march a thousand strong to relieve it and to take possession of Windsor and the Tower. To prevent any surprise, Fairfax was directed to send two or three trusty regiments to Bow Bridge (pending

the further mobilization of the Tower Hambleteers), and Hammond was ordered to keep a careful watch over the island. Taking advantage of the Army being divided between Wales and Essex, the Duke of Buckingham, with Lords Holland, Molyneux and Francis Villiers, collected many stragglers who had failed to cross the Thames in the early days of June; but it was not known whether they intended to go to Colchester or Dover. They arrived at Reigate on July 6th, with five hundred men, and finding that place was already occupied by Rich and Gibbon, retreated to Kingston, with the loss of a few men. Before entering the town, Holland drew up his men, faced Gibbon and Lusey, and dashed through it, making for Harrow-on-the-Hill, where he received a wound in the shoulder; Lord Francis as well as some two hundred of his horse being killed. The Parliament horse continued the pursuit to St. Albans and St. Neots, where they were met by another party of horse sent by the ever-vigilant Fairfax, who was uncertain as to whether they would go to Colchester or to the North. Led by Scrope, assisted by skilful guides, the Parliament forlorn hope entered St. Neots, before the main body arrived. In the action, a son of Sir Kenelm Digby and Major Dalbier were slain; a hundred "gallant horses, and a store of gold, silver and rich clothes, were the booty. The earl, confined to his bed by his wound, surrendered on quarter.

The duke fled to Oundle with forty horse soldiers, was defeated and made his way to Holland. He returned and was noted as the "licentious" duke.

20. *July 5th* A rumour arose that the Prince of Wales had left Calais for one of the castles in the Downs. Encouraged by the various tidings and, perhaps, tired of the confinement of the walls of Colchester, Lucas and Lisle accompanied by 600 horse and 400 foot, left by the East gate, capturing the East mill (guarded by the Suffolk forces) and two guns. Some crossed the river on a plank, the others by the Bridge, killed eight of Whalley's men and caused him to lose all the advantage he had gained. A letter was conveyed into the town:

> "Sir, your gallantry in resolution and action during the fierce and furious siege of Colchester hath already confirmed in us that noble opinion which we hath ever retained for you in all your undertakings, both for spirit and knowledge. Valour acquits itself best in extreames: of this, your loyal prowesse hath given us an ample testimony. We, here, who love and honour you, and who, with some of your best and choycest forces, hope in a very short time to relieve you; could not retain less than a deep resentment of the diversions of those noble disposed Royalists, who engaged their persons (as their induce-

ments visibly appeared) for your succour: with that premature fall of that active spark of true native Honour, the Lord Francis Villiers; whose surprised and disarmed body, report informs us, that such inhumanity, by a Mechanick Hand was committed.

... ... ... ... ... ... ... ... ...

The cruelty they show to us, might prescribe us a rule what to do, when it shall please God we may be (which we hope ere long to be) master of the field. But revenge in actions of cruelty shall ever be to us as far estranged from our thoughts, their's is, since the first of these civill, naturall wars were broached, from harbouring loyalty or compassion. Meantime, those men's designs, who push at nothing lower than crowns, (yet should you unlock the cabinet of their hearts make crowns their objects) may afford both you and us, who stand in the defence of a just cause, and no private interest (as God is our witnesse) this useful lesson. Rather to sacrifice our lives to a noble and memorable fate, than submit to an imperious mercilesse foe.

... ... ... ... ... ... ... ... ...

If Skippon's power of enlisting were abridged, as we learne it is, these recruits or fresh supplies cannot last long.

... ... ... ... ... ... ... ... ...

Think every evening how we are one day's march nearer you than we were in the morning."

21. *July 8th* Colonel Rossiter defeated and routed the Pontefract forces at Willoughby fields. Parliament was growing tired of the long delay at Colchester and sent Ludlow with a committee of inspection, who insisted upon the trial of Captain Robert Vezey (captured on June 24th), who was condemned to death as a deserter, having been a Parliament officer before he joined Goring, and had, at the solicitation of the Essex regiment, been pardoned by Fairfax.

22. At last the long looked for invasion of England by the Scots took place. The north of England clear: Fairfax was at Colchester; Cromwell was at Tenby; but Argyle would not hear of any assistance from Non-Covenanters, the English Cavaliers, Musgrave and Langdale.

"If they were to have any command in the army, they must presently renew the Covenant; and there might be a General declaration that there should be neither officers nor soldiers received into the army, before they had taken the Covenant; and that after they had come into England they would make no conjunction with any person or persons

who had not so done, or should refuse to do the same."

But when the English Royalists would do nothing of the kind, Hamilton promised them "that there should be no more talk about the Covenant, but all the King's friends should be welcome and that without distinction." The Scots Parliament had voted forty thousand men, but Hamilton took the field with one half that number; being followed by Sir George Monroe, who commanded the horse and was always one day in arrear. Scarcely had the duke crossed the border than an express was sent after him, that "Sir Michael Langdale was greatly to be reprehended for receiving papists into his army, and for not owning the Covenant in the declaration he had published," and that "he, the duke, was not to give him any assistance except the Covenant was embraced by the whole Army."

While the Duke and his Lieutenant-General, Callendar, were distracted by their mutual jealousies; while they waited supplies of arms that never came from France; while the Prince of Wales still remained in Holland; while the questions of Covenant or Non-Covenant, Prelacy or Presbyterianism were being discussed, Lambert advanced to meet the invaders, throwing a garrison into Bowes and retreating to Appleby. Had not his enemies' councils been a source of weakness that prevented them from attacking him, he must have been crush-

ed. Instead of acting with vigour, the Scots lingered at Carlisle and Kendal just so long as they could obtain provisions; then Hamilton led them into Lancashire, where Langdale warned him of the probable advance of Cromwell and advised him to call together his scattered quarters in case of an attack. But he would not do this as he expected to be attacked by the vanguard before the main body came up. The English leader retreated, although Hamilton promised him assistance. On August 6th Cromwell crossed the Ribble, in spite of the late rains that had rendered the river banks impassable for cavalry. The Duke tried to defend the bridge at Preston and made a desperate resistance for some hours: "For three hours Royalty and the Parliament were locked together in a death struggle." Neither Hamilton nor Langdale knew that they were engaged with Cromwell. At last the Scots gave way for want of discipline. At Wigan, on the following day, the fight was renewed, the Scots horse turned on the Scots foot; at Warrington a third battle was fought and the Scots surrendered. Hamilton fled to Uttoxeter, where the celebrated army chaplain, Hugh Peters, boasts that:

> "It was my lot to take the Duke of Hamilton prisoner, who is this night at our quarters. It is a very glorious completion of the former work in which is a mighty appearance of God.

> I had a large dispute with the Duke this night. I know not almost whether it be not a dream."

One can imagine with what glee the Independent divine plied the courtier with questions on his favourite subject.

23. To return to Colchester. Fairfax offered to exchange the King's ill-adviser, Ashburnham, for Masham, which Goring indignantly refused. The latter circulated a proclamation among his enemies' lines:

> "The Declaration of his excellency, George, Lord Goring, Earl of Norwich, with the gentlemen and freeholders of the counties of Essex and Kent, in arms for the prosecution of their several petitions and engagements; also such officers and soldiers as shall join them. Could prosperity ever make us insolent, this overture should be the story of our present fortunes; how unanimous, how associated and how befriended we have been in our undertakings. In a word, Heaven seems pleased with our proceedings, and earth conspires for our deliverance! Consider with what resolution we have acted in time of despair, and raised ourselves to our present height out of nothing! Consider also that we still move with the same resolution and are yet favoured and encouraged

of the same Providence that at first raised us.

"In like condition, gentlemen and fellow-subjects, we salute you in a temper of pure love and Christianity, disengaged, I assure you, from every interest whatever, or mixture of pride or fear. Peace is the end we aim at, and proposed at first to accomplish our designs in a peaceable manner if it were possible to do so.

"We have compassionately considered the number of innocent souls who have been seduced by the imposture of a pretended liberty, and the many who have been brought into erroneous (*sic*) and unfortunate engagements by their necessities, all of which must certainly perish, if not preserved by the only remaining expedient.

"Therefore, whatever our officers and soldiers now in arms against us, shall on or before the 21st of this instant July, repair unto us, joining any part of our forces, and with them enter upon action, and not proceed against us, shall have his or their arrears paid him or them; and we do hereby oblige ourselves to intercede with his most gracious majesty, for an act of indemnity, and we doubt not but that our most gracious sovereign the king will immediately grant the same; and, for the performance hereof on our own part, we lie our honour and the faith of our country;

vowing that all we desire no alternative either in church or commonwealth, but such as the present Parliament hath declared and allowed to be the duty of all good Christians and loyal subjects."

24. An attempt was made to cut through the enemies' lines with a body of horse to reach the Scots, Goring, doubtless, being unaware that the latter had made such a stand against non-covenanting helpers; had they escaped, the town would probably have been obliged to surrender much sooner, for want of horse-flesh; but they were driven back. Fabian-like in policy, Fairfax had carefully crept round the walls, closer and closer. At last he was able to raise a battery against St. John's Abbey (Lucas House), making a breach through the walls and entering the court-yard; but the strong gate still withstood him for some days. At the same time Whalley took the church of the Hythe, which had been fortified and garrisoned, capturing some seventy men of Kent.

25. The besieged at length believed that all resistance was in vain. Captain Jailly told the Lord-General that many would come out to him if his conditions were known. His answer was that he had offered favourable conditions as far back as June 18th; the gentlemen to take their arms (free from plunder) with passes

across the sea; the common soldiers were to have passes to their own homes; but all officers above the rank of a captain were to submit to mercy. These conditions had been rejected with scorn.

26. *July 16th* So certain did Fairfax feel of success that he employed his men in making ladders, twenty-four feet long and wide enough for two men to mount abreast. He attacked St. John's Gate House at three in the afternoon.

> "We have stormed one of their strongest fortifications; but before we could gain it, we had a great disputation. They knocked us off our ladders and threw great brick-bats at us and defended it with great resolution, till at last our men set to their ladders again; and they went with great fury and got up to the battlements of the Gate House, casting grenades out of their hands over among the soldiers."

About four o'clock they exploded the magazine; on this, the defenders retreated through the South Gate into the town. As they went through the suburbs, they fired the houses being used by Fairfax in his attack upon the town. Following up his success, the Lord-General sent a trumpeter, demanding the surrender of the town and offering passes to all the private soldiers who were willing

to forswear military service and return quietly to their homes. The officers in command replied that they begged Fairfax not to send any more dishonourable messages (for so they deemed them) offering conditions to the private soldiers to the exclusion of the officers, and that he should not take it amiss if the bearers of such messages were shot or hanged.

27. Knowing that they would be excepted from conditions, the officers made many attempts to escape. As early as June 17th Lucas sent out 1,200 horse into Tendring Hundred, who brought back a quantity of black cattle, and would have done more had they not been stopped by the Suffolk forces at Cattaway Bridge. Twelve days later a sortie was made with three troops of horse, 500 foot and a saker; but failing to escape, they were fain to return with some cattle; having slain the owner (Mr. Lawford), a royalist gentleman. On July 19th the gentlemen volunteers, led by Gascoigne, left Colchester by the Middle Mill (under the guidance of the miller) intending to break away to the North by way of Neyland. To make sure of their success, they had sent pioneers to cut down the hedges between the town and Bosted; there they were attacked by the leaguers' horse; the guide ran away and they were forced to return. Three days afterwards, the horse tried to get away, but the animals were too weak and they had to return.

28. Deserters were continually coming away, with accounts of the scarcity of provisions in the town; they said that seven hundred horses were drawn up for inspection in the Castle Yard, of these a certain number were selected to be killed. But there was great difficulty about this, as the butchers refused to be knackers. *June 20th* Two days afterwards every third horse was killed; this new dietary was inaugurated with some éclat by a horse being roasted whole in the Castle Bailey "amid much merriment; the meat being distributed with some wine wherewith to drink the King's health!" One day the sentries captured a boy, suspected of being the bearer of some despatches from Lord Goring, but he would not divulge his business; he was searched and threatened with having his fingers burnt with matches, and with being hanged or shot. "Both his father and the Lord Norwich had bid him be hanged rather than confess his business; or discover anything concerning the letters, which he had resolved to do." He was committed to the custody of the Marshal General.

29. *June 27th* The leaguers wishing to "feel their pulse" battered the walls from a redoubt in Berry fields, between Magdalene Street and the town. The besieged, finding (perhaps rightly) that they were too near to be pleasant neighbours, sallied forth, headed by Capel bearing a halbert, and took two or three prisoners; a

bystander, a seaman, being killed. Twenty men, accompanied by as many for guards, went out to view the works; they passed the first outposts; on attempting to proceed, the second line fired at them capturing Captain Gray. Masham was at last exchanged for Mr. Ashburnham.

30. *July 24th* As a storm was now daily (and hourly) expected, trenches were dug across the streets to hinder the rush of cavalry; the troopers were armed with scythes at the end of long poles, and tar was provided to pour on the heads of the assailants. Rainsborow fired the mill; in the alarm two hundred men escaped.

*July 25th*

31. Seeing that all was quiet in Kent, the House of Commons voted a bill of indemnity to those who had laid down their arms on the message of Lord Thanet, had only taken up arms at the threat of the petitioners, had preserved public funds, procured the restitution of the Parliament horses, had not been engaged in that "petition which had caused the rising, or had not taken upon themselves any command, or contributed money towards the movement." At the same time instructions were sent down to Colonel Rich to take his horse to the North; on receiving this order, he pointed out that there were no horse between East Kent and Dorset, or Somerset, and that it would not be safe to remove the available forces, lest there be a descent upon

the coast from the revolted ships. On this, Fairfax appointed him to the governorship of Walmer Castle; to provide against any surprise, the committee for Hampshire being directed to give all possible help to Hammond, as it had been discovered that the woman who did the menial work was in the habit of conveying letters from the King to a certain James Boswell, who sent them to Captain Silas Turner, by whom they were distributed.

32. At last the Prince of Wales began to bestir himself: his first act being to write from Helvoetsluys to the corporation of Kingston-upon-Hull:

> "We think it our duty to lay hold of all means that may probably conduce to the restoration of King Charles, our royal father, to his liberty and just rights, the redeeming of the kingdom from those heavy pressures that now be upon it, and the settlement of a well-grounded and happy peace; and it having pleased God to move the heart of so many of the seamen to return to their natural obedience that now a great part of his majesty's own navy royal, with divers other ships, are under our command and now are daily expected. We have, therefore, thought fit to write you to partake with us and all the well-affected people of the king-

*D. S. P. July 27th*

dom, in our undertaking and endeavours for obtaining the good ends above mentioned, by a reasonable declaration of yourselves against the arbitrary power of the sword, which oppresses the whole kingdom, and (by) a present conjunction of your affections and assistance to us; which, if you shall do, we assure you and the whole town a full pardon and indemnity for all that is passed, and our protection of all your goods and ships at sea, for the increase of trade and (commerce) of the town. And lastly, no governor shall be put over you but such a person as shall be most agreeable to yourselves."

But he remained in inactivity at Goree, whence he could easily reach the North and East coasts of England.

33. Parliament being sore beset to provide funds to come with these rapidly succeeding complications, they ordered sequestrations to be exacted with the greatest vigour. Propositions drafted upon those that had been submitted to Charles at Hampton Court were ordered to be laid before him at the present juncture; the counts of wards and of liveries were to be abolished.

34. Colchester now suffered from the want of the common necessities of life, as the town had not been victualled for a siege. A News Letter tells us that the town was so short of horse-

meat that men were sent outside the walls to cut grass; but were quickly driven in. Deserters came in in great numbers—as many as thirty at a time; on one day a whole guard came in, stating that famine was staring the town in the face; that the stock of wine and raisins was completely exhausted, that there were none left for the common soldiers, who had possessed themselves of all the bread in the town which made them still more unpopular among the poorer classes, especially the women and children, who suffered the most; that butter was five shillings a pound; that the rations had been reduced from 14 ozs. to 12 ozs., and then to 7 ozs. per diem, and the bread was scarcely eatable, being made of malt, oats and rye, mixed with salt water, which made it unwholesome as well as unpalatable; and many preferred to eat their horse-flesh without it. The soldiers would even preserve a half of their small ammunition loaf to dangle before a dog in order to club him upon the head with their muskets—"six shillings being given for a dog and that not a great one neither." They added that scarcely a night passed without a horse being stolen from the stables and taken to the shambles. The inhabitants enraged at the supplies sent in to the Commissioners, threatened to take them to the castle and cut their throats. Fairfax entreated Goring to send the women and children, many of whom had been reduced to living on soap and candles, out of the town, as he intended to

reduce it by fire and sword, if necessary. The suffering women begged Goring to let them cross the lines, as their distress was increasing daily. In a reply to the demand of the women for food for their children, his Lordship said: "that they might eat their own children if they liked," and ordered the soldiers to drive them away from head-quarters, which they did amidst the revilings of the women, who threatened to scratch out his Lordship's eyes, adding there was no ground of complaint so long as they could obtain horseflesh in sufficient quantities. One woman, with four children and one at the breast, managed to gain the quarters at Lexden, where she prayed Fairfax to let her pass. This he was obliged to refuse, as Goring would not let the Parliament people leave the town unless his own left first; and, by diminishing the number of mouths to be fed, he would prolong the siege. The wives of the royalist aldermen Burton and Lambert, and other ladies, presented themselves at the Quarter-General, but were obliged to return, with the exception of one, the wife of a well-known Parliamentary man.

*July 31st*

Previous to this, Fairfax had sent a trumpeter to ascertain the condition of the town, offering conditions to the private soldiers and mercy to the officers; and had obtained permission from Goring to supply the captive Committee-men with food. The soldiers then forced the townsmen to declare they

35.
*Aug. 9th*

*Aug. 16th*

would not surrender as long as there was horse- and dog-flesh to eat. Towards the end of the siege, five hundred women were driven out of the town towards Rainsborow's quarters. That officer ordered a gun to be fired in the air; as that produced no effect, he received them with blank cartridge. To cause them to return, he sent a messenger to tell them if they did not return, they would be stripped. This last threat, unaccompanied by violence, made them return, but as the garrison refused to admit them, they remained between the trenches of the leaguers and the walls. Fairfax sent a messenger to Goring to upbraid him for his inhumanity, telling him he would be held responsible for their lives.

36. Amid this dark account of human misery, there is one bright incident: during the siege, Lady Goring died; on this, the Lady Catherine Scott desired Fairfax to let her communicate the sad news to her father. He allowed her to pass the lines, if she would not enter the town. Accompanied by a guard and several officers, she lunched with her father, outside Head Gate (Aug. 10th), on such fare as the town could afford, horse-flesh stewed in claret, and a few bottles of wine.

37. When Fairfax heard of the defeat of Hamilton, the final dispersion of the men of Kent, and the capture of Tynmouth castle by Sir Arthur Haselrigge, he communicated the facts to Lord Goring, who immediately ordered all

persons without visible means of subsistence to leave the town in twenty-four hours. Several persons were thrust out, but the Parliament sentries forced them to return to the town walls. Then Dr. Glisson took upon himself to procure passes for them, with Mr. Sheffield, a Committee-man, he urged their claims upon Fairfax, saying there was scarcely a dog or a cat left in the town; and of the horses, seven hundred and fifty had been slain, leaving the town without one day's consumption. Still, Fairfax refused to give them passes, and the troopers signed a paper, declaring that they protested against all conditions that would infringe their liberty and blemish their honour; they undertook to stick to each other and the foot-soldiers till they could force their way through the enemy's lines. And the officers likewise repudiated all conditions save marching out with the honours of war, leaving the stores behind them and receiving a pass. They were willing to contest his entrance by any gate he named.

38. Goring had sent a demand to Fairfax to be allowed to communicate with the Prince, then supposed to be at the mouth of the Thames, with nineteen ships of war; and offering to surrender if not relieved within twenty days. Fairfax refused to accede to this, as he hoped to be master of the town before that time had expired; in fact, he had already made up his plans for storming it. Goring replied that he was

willing to surrender upon honourable conditions to prevent useless shedding of blood; but that the Lord-General could storm the town at his will. When Mr. Barnardiston, a Committee-man, and Col. Tuke returned in the evening of the 26th, it was with the news that the previous conditions of surrender had been withdrawn: and that, while the officers were to surrender to mercy, the privates and sub-officers having neglected the opportunity, were to submit to fair quarter. This made the council of war resolve upon breaking through the Parliamentary lines, "with horse, foot and baggage," descending the walls by means of scaling ladders, storming the lines and trenches, falling upon the quarter-general and breaking clear through the leaguers; or perishing in the attempt. Lest the soldiers should think the officers were going to desert them, all horses, save those of the General and Major-General, were to be pistolled. The strictest secrecy was enjoined; every soldier was allotted his appointed place in the scheme; rations of burnt claret and raisins were served out to all the rank and file. As the council was breaking up, about midnight, a mutiny broke out; about thirty troopers rushed in and demanded: "If conditions accepted were unf a our-able to the soldiers, they would make conditions for themselves and leave their officers to shift as they could," and threatened to cast them over the wall or kill them if they attempted to stir.

Lucas and Capel had difficulty in appeasing them. After this another council was held, at which it was decided to negotiate terms of surrender; this was accomplished on the following day, after a siege of seventy-six days.

39. Fairfax would have had the gentlemen and officers surrender to the mercy of the Lord-General and of Parliament, or to the mercy of the Lord-General to be delivered to Parliament; at last these terms were decided upon:

I. *All private soldiers and officers under the rank of a Captain were to surrender to quarter:* this was explained as meaning that their lives should be spared and that they should be protected from wounding or beating, and that they should be allowed to wear their own clothes and be fed with proper and sufficient food while held as prisoners.

II. *All lords, captains, officers and gentlemen of quality were to surrender to the mercy of the Lord-General:* by this was meant that some should be put to the sword immediately; but that they should be principally considered as prisoners of Parliament; that they should be permitted to wear their own clothes and to ride, but they were not promised the use of their own horses.

# BOOK VII

## VÆ VICTIS!

1. On the morrow of the signing of the conditions of surrender, at ten o'clock Colonels Rainsborow and Ingoldsby entered the town by the North and Head Gates at the head of their regiments, while Fairfax rode round the town, marvelling how it could have withstood him so long. Ruin met his every glance: wrecked houses; starving townspeople, and gaunt soldiery, haggard in their despair. Morant gives the number of the first as one hundred and eighty-six, but at the trial of Lord Goring the number was placed at six hundred; and Defoe, writing some hundred years later, described Colchester as "mourning among the ruins of the Civil War." The officers were assembled at the King's Head; the foot soldiers had been ordered to lay down their arms in St. James's church-yard and had been marched to the Friar's yard; while the cavalry, with their horses and their saddles and accoutrements (in use and to spare), were drawn up in St. Mary's churchyard. At one o'clock the Lord-General held his council of war, to which Sir Charles Lucas,

Sir George Lisle, Bernard Gascoigne and Colonel Farre were ordered to appear; the latter, who had seduced the Essex militia to the service of the King, could not be found. These four officers were condemned to death. At seven in the evening, Ireton summoned the first three to accompany him to the place of execution. Lucas asked him: "By what authority are we to die? An Ordinance of Parliament, a Council of War, or the command of the General?"

To this Ireton replied: "An Ordinance of Parliament;" stating that all found in arms were liable to be proceeded against as rebels. Said Lucas:

> "Alas! poor souls! Now ye deceive yourselves as if the just defence of the ancient laws, liberties and privileges of this kingdom; the advancement of the style and prerogatives of our sovereign were in the quality of treason or rebellion!"

Refusing the ghostly counsel of the general's chaplain, they were led to the Castle Bailey, where, pulling his hat over his eyes and opening the breast of his doublet, Lucas cried: "Rebels, do your worst!" and fell dead. Sir George Lisle followed, speaking to them in a similar strain. After giving the executioners what money he had about him, he said:

"Oh! how many do I see here about me, whose lives I have saved in hot blood; and now must mine be taken away in cold blood most barbarously! Surely the like was never heard of among the Goths and Vandals or the veriest barbarians in the world at any age. But what dare not those rebels and traitors do, that have imprisoned and would willingly cut the throat of their King? for whose deliverance from his enemies and peace to this distracted kingdom these my last prayers shall be presented. Now then, Rebels and Traitors, do your worst to me!"*

And after an invocation to God, he fell down, dead. Gascoigne begged pen and paper in order that he might write to his Sovereign, the Grand-Duke of Tuscany; and was pardoned. His name appears in the delightful pages of Evelyn's "Diary" as a quasi-political agent under the Restoration.

2. After this, Fairfax ordered the rest of the lords and gentlemen to be brought before him. Speaking to Goring, Capel and Loughborough, he told them that military justice having been satisfied, he would cause the remainder of the prisoners to be well-treated and handed over to Parliament to be dealt with. On this, Capel had a sharp argument with Ireton, saying that

* "The Loyal Sacrifice." 1649.

he thought they had better continue their work and execute the remainder with the same rigor. He maintained that, according to the discussion that took place on the agreement of the terms of surrender, the Lord-General had no authority to hand them over to the civil power; and that they had been assured of their lives by being exempted from the military execution, and his having used his power to dispose of many officers and considerable persons (without the privity of Parliament) as "slaves to the gallies" and to ransom others when sentenced to banishment by Parliament. Some say that he was urged by Ireton to have them executed. A kinsman of the Fairfax family writes:

*Beaufort MS. Hist. MSS. vol. X. part IV. p. 93.*

> "I do not feel that I can defend what was done" (the execution of Lucas and Lisle) "even on the ground of the difference of present and past habits and customs, and he was blamed by his contemporaries as well as by posterity; and I can only express my wonder at his being betrayed into an action so utterly repugnant to his general character. He was by nature what is called 'an easy man,' not seeking excitement, not ambitious, still less vindictive. I can only imagine that he thought it incumbent to deal severely with those whom Parliament, whose servant he was, had voted traitors, and he may have thought the sever-

ity in the onset* might prove mercy in the end by nipping in the bud the effort to re-open the unhappy contest. . . . . I am disposed to view the proceedings from a mistaken sense of duty, more especially as he sent Lord Capel to London, evidently in the notion that he would be tried by his peers, whilst he thought his military court sufficient to decide the case of Lucas and Lisle, who were commoners. He called them 'mere soldiers of fortune'; but they were persons of property and not correctly so described." †

Let us see how they were situated. Taking Sir Charles Lucas first: there can be no doubt but that the Lucas family were very powerful in Essex; this can be proved by the fact that in 1648, no less than four members of the family, Sir John, Sir Charles, Thomas and Elizabeth Lucas, were returned as landowners, in Winstree, Tendring, Thurstable and Witham Hundreds, whose property had been sequestrated for delinquency. We have seen that Sir John had a mansion in Colchester; he was an ardent royalist and deeply concerned in plots; but, in 1648, Sir Harbottle Grimstone obtained for him a pass to bring his wife and children in a coach to London, as he was leaving Essex to

*Calendar of Compositions.*

* The siege of Colchester was one of the closing acts of the second Civil War!

† "History of Leeds Castle," C. Wykeham Martin, 1869, pp. 189, 190.

avoid being implicated in certain plots and was represented as having done good service to the Parliament. In March, 1646, Sir Charles, being taken prisoner at Stow-on-the-Wolds, petitioned to compound, was admitted in the following April, but was not allowed to proceed in this affair, as he had taken part in royalist plots since taking the negative oath, till he was again admitted to compound as a delinquent who had borne arms against Parliament in February, 1648, he was fined £595.10*s*., the estimated moiety of one-sixth of his estate. On March 28th he received notice that the Committee sitting at Derby House had ordered that all those who had served the King were to leave London; and as he was thought not to have done so a reward was offered for his apprehension. This was a mere police regulation and did not absolve him from his oath. Having joined the forces under Lord Goring in June, he was declared (July 20th) to have lost all benefit from his act of composition, not having complied with the conditions, or paid the second moiety of the fine; besides this, he was again in arms against the Parliament. Hence the refusal of Fairfax to treat with him as with one who had forfeited his parole. On Oct. 30th, 1650, Sir John, (who had inherited his estates) claimed certain rents that had been retained by tenants, which were collected by the Committee of Sequestrations in the following January. On

*Calendar of Compositions.*

February 16th, 1651, Charles Pittfield prayed that the lands of Horsey Manor might be released from the charge of sequestration without cause assigned, as the estate had passed to him (and Sir John had admitted his claim) on payment of £1,000, out of which the fine was to have been paid. The court duly considered this, but gave no order. On April 7th, 1652, Sir John again begged that, according to an act of pardon, this manor might be discharged from the burden of sequestration, he having paid debts to the amount of £200, and a fine to the lord of the manor, which sums were equal to the full value of the estate. Thus Lucas was clearly an undischarged delinquent who, under an oath of neutrality, had taken up arms.

The case against Lisle was not so clear. He was likewise a compounding prisoner, who had passed through a brilliant career. Knighted on the battlefield of Newbury for his great courage, he had led a brigade at Naseby, and was captured at Leicester; afterwards, governor of Farringdon, he surrendered that place (July 24th, 1646) undertaking not to serve again against Parliament. On January 26th, 1647, he presented a petition for composition, which was lost, on which he was allowed to come to London. There appears to be no record as to whether this document was discovered or not.

Gascoigne was condemned as a pirate, levying war at the head of a company of mercenaries.

Clarendon speaks of the first two men as follows:

"Lucas had been bred in the Low Countries, and always among the horse, so that he had little conversation in that court, where great civility was practised and learned. He was very brave in his person, and in the day of battle a gallant man to look upon and follow; at all other times and places, of a nature not to be lived with, (of) an ill understanding, (of) a rough and proud nature, which made him during the time of their being in Colchester more intolerable than the siege, or any fortune which threatened them."

Of his companion he says otherwise:

"Lisle was a gentleman who had the same education with the other, and at the same time an officer of foot; he had all the courage of the other. . . . . to this fierceness of courage he had the softest and most gentle nature imaginable; loved all and beloved by all, and without capacity to have an enemy.

3. Thus there remains but little doubt, judging from the letters Fairfax wrote to the two Houses, that Lucas was selected for three reasons:

Because as long as he lived he would have served as a rallying-point for Essex Royalists:

Because he had behaved with great cruelty to the besieged;

And because, after so obstinate a defence, it was necessary to show a severe example to secure the pacification of the county;

And because he was in arms against the Parliament; the *de facto* government of the country.

4. The number of the prisoners is variously given. Carter, who gives a detailed account of their sufferings, puts them at 3,394; while the Rev. Fyler Townsend, in his "Siege of Colchester," gives 3,530; among these were twenty-four Lords and sixty attendants; and 3,914 (or 3,446) rank and file. It may be easily understood that some great inconvenience might attend the custody of such a large number of prisoners when added to those already in custody from the Scots invaders. The gentlemen were given to the officers, who put them to ransom. As to the stores, they were nearly exhausted. The ammunition was reduced to a barrel and a half of powder and such spent balls as Capel had been able to buy at the rate of sixpence a piece. The dietary of the town had been reduced to horse-, dog- and cat-flesh, starch, bran, and grains, instead of white bread, beef, mutton, eringo root and oysters.

Fairfax levied a fine of £14,000 upon the devoted town in lieu of plunder. To this demand the in-

habitants pleaded poverty; but having
5. gone through one siege were careful not to
*Sept. 6th* provoke fresh hostilities. Fairfax remitted £2,000; of the remainder, £8,000 was given to the regular troops, £2,000 to the trained bands of Essex and Suffolk, and £2,000 was given to the poorer inhabitants. Of this sum, one half was levied upon the Dutch merchants of the Bay and Say trade, who had hoped to receive back one-sixth of their contribution for their own poor; instead of this, they only received £100. In addition to this, Parliament granted to the besieging forces £5,000 in lieu of pillage, to be raised out of compositions and sequestrations; Henry Barrington and William Jeffery receiving £1,000 and £500 respectively out of the personal and real estates of Major Smith and Mr. Roberts. To prevent the town being again held for the
*Sept. 1st* King, Fairfax requisitioned the Mayor for five hundred men with pickaxes and shovels to demolish the remaining fortifications; which accounts for the paucity of the remains and for Clarendon's opinion of the weakness of the town. This was an act of policy on the part of the General, as it gave employment to a large amount of labour, which must have been at a standstill during the dark days that succeeded the the siege.

6. On the morrow of the surrender, Fairfax wrote to Lord Manchester:

"Speaker of the House of Peers, pro tempore.
"Hieth, Aug. 29th, 1648."

"I have herewith sent you the Articles, with Explanations annexed, upon which it hath pleased God in His best time to deliver the town of Colchester, and the enemies therein, into our hands without further bloodshed; saving that for some satisfaction of military justice, and in part for the innocent blood they have caused to be spilt, and the trouble, damage and mischief they have brought upon the town, the county and the kingdom, I have, with the advice of a council of war of the chief officers, both of the county forces and the army, caused two of them who were rendered at mercy to be shot to death before any of them that had mercy assured them. The persons pitched upon for this example were Sir Charles Lucas and Sir George Lisle; in whose military execution I hope your lordships will not find cause to your honour or virtue prejudiced. As to the Lord Goring; Lord Capel and the rest of the persons rendered to mercy and now assured of quarter, of whose names I have sent to your lordships a very particular list; I do hereby render unto Parliament's judgement, for further publique justice and mercy, to be used as you shall see cause. I desire God may have the glory of

His multiplied mercies towards you and the kingdom in this kind: and in the conditions of instruments as to service here, the officers and soldiers of the Essex and Suffolk forces (who in a time of danger have adhered constantly to yours and the kingdom's interest), for their faithful demeanour and patient endurance as to the hardships of this service, are not to be forgotten."

*Aug. 31st* Two days later both Houses received a letter announcing the fall of Colchester, with a list of prisoners and the conditions. After a debate upon the fate of Colonel Farre, who had led away four hundred of the Essex trained bands, he was left in the hands of Lord Fairfax to be executed in the same manner as Lucas and Lisle. Sir Harry Mildmay was sent down to obtain further information as to the disposal of the prisoners, it being mooted that Goring and Capel should be impeached for high treason in levying war upon Parliament and kingdom.

7. The private soldiers who were not rich enough to be ransomed were drawn up into companies and distributed among the neighbouring churches at the Hythe, Greenstead, and Wyvenhoe * under strong guards. The Londoners

* One hears a great deal of the desecration (?) of churches by the Parliamentarians; but it appears that the Royalists were not above using them for similar practices, for we read that a certain Roger Nicholson of Over Hulton deposed that he was visited, when a prisoner in the church at Middlewich, by Chris-

and the men of Kent were treated with great severity, being stripped of their clothes and starved, and marched to Bristol, Warwick, Oxford, Pendennis, St. Michael's Mount, Arundel, Gloucester, Hereford and Cardiff; those who fell out of the ranks being pistolled by the roadside. On Sept. 6th Fairfax wrote to Colonel Moore, engaging himself that Colonel Basher should have a regiment of these men to serve the republic of Venice, if Parliament would consent, on his (Basher) giving security that they should be commanded by Parliament officers and not be permitted to serve against that Army, as many had been found in Colchester with foreign commissions in their pockets; adding that in respect to 1,050 already thus disposed of, Basher had acted loyally. If these terms were agreed to, he hoped the men would be embarked as soon as possible. The remainder were either released or sent to the Barbadoes, as was done with the followers of Monmouth some forty years later.

*Hist. MS. Com. X. IV. 94, 95.*

8. Fairfax held a grand review of the troops on Lexden Heath; before dismissing the trained bands of Essex and Suffolk, he observed a day of thanksgiving, on which Dr. Owen preached a long sermon on

*Aug. 30th*
*Aug. 31st*
*Sept. 2nd*

topher Anderson "on the part of the King"; also William Juniper, a prisoner from the Parliament Army, swore that Richard Ashton, also a Parliament soldier, had been captured at Bolton by Prince Rupert and was confined in that church: See "Notes and Queries," N. S. VI., page 40 (July 21st, 1894).

„Ebenezer"; Colonels Whalley and Barkstead going to keep order at Yarmouth, where the excitement caused by the Prince of Wales' coming had not yet subsided.

9. *July 22nd* The good people of that town had been amazed and terror-stricken, and the fishermen and multitude had been disturbed by the appearance of the Prince of Wales on board the ship of the vice-admiral (Lord Willoughby de Parham), attended by Lords Culpepper and Wentworth and Prince Rupert. On sending his crew on shore to obtain provisions, they were driven back; and Messrs. Cutting and Robins went with them to demand the reason of the refusal to allow them to land. He listened to their explanation, against the advice of Lord Culpepper, and assured them that he had no hostile intent but had been driven to their shore by stress of weather; obtaining what he was in need of, he set sail, intending to go to Portsmouth to meet the ships of Lord Warwick's squadron. He anchored in the Downs, watching the movements in Scotland; it would have been better for him to have proceeded to the Isle of Wight and liberated the King; but, it may be, the queen was averse to this course. Even after receiving news from his father, he steered for the Nore, where he committed the great blunder of seizing ships belonging to the city of London, which he offered to the Commissioners of the Navy at a ransom of £20,000, under the

plea he wanted money to pay his sailors. This error cost him the loyalty of the city. While there he issued a proclamation stating he was in arms for the good and welfare of the kingdom and offered an act of indemnity to Fairfax and any of his followers who would come in to him. He failed to cut off the Portsmouth portion of the fleet and offered battle to the united portions; but was prevented from coming into action by contrary winds. Being reduced to one barrel of beer and no water, he was obliged to return to Goree, where he anchored on Sept. 4th. When his crews were apprised of his determination to return to Holland with his prizes, they were discontented and demanded that the Prince should remain in British waters to defeat Lord Warwick, who had retired to Portsmouth. Declaring that they would rather remain in English waters on half-rations than revictual in a foreign port to enable them to become foreign invaders of their own land. The Parliament Admiral was now directed, if he could not reduce this hostile fleet, to blockade them and prevent them doing damage; to send ships to guard Newcastle and the Yarmouth fishing, and to watch the movements of the Armies in the North. Great fear was felt lest the Prince's English sailors

*Sept. 21st* should desert and be replaced by men from the Dunkirk trade, used to acts of piracy. In consequence of this, Doctor Dorislaus received orders to prevent the bulk on board the

captured ships being broken and the cargoes being sold in Holland. In spite of his endeavours, *Nov. 27th* the crews of the revolted ships discharged the cargo of the ship "Love". She fell into the hands of the Earl of Warwick, but her master, Gregory Milner, was detained by the Prince of Wales; on her capture, the owners petitioned the Commissioners of the Navy to be allowed to send men to take charge of her and thus prevent embezzlement of stores and provisions. The committee of both Houses were warned by Dr. Dorislaus and Mr. Walter Strickland, that while the Hollanders professed neutrality between the two fleets, they allowed that under the Prince of Wales to form companies, to obtain five ships and to plant guns or carriages (which they could not have obtained from the revolted ships) to the prejudice of the Parliament fleet, while no indulgence was shown to Warwick's ships. The Earl of Warwick was told that if he remained inactive he would enable them to grave, tallow, revictual and recruit ready to attack him, and urged to lose no opportunity to reduce them to obedience; it would be better for him to return to the Downs than to give them the chance of forcing him to raise the blockade.

10. Fairfax relieved of his grave responsibilities went on to Ipswich, where he was received by the mayor and corporation, sword, mace, red gowns and all; to Norwich; to Yarmouth, amid rejoicings, the town and ships discharging

above one hundred pieces of artillery at his advent and farewell—

> "The matrons fling their gloves
> Ladies and maids their scarves and handkerchiefs,
> Upon him as he passed; the commons made
> A shower and thunder with their caps and shouts;"

to Bury; to Maldon (where he viewed the "remaining reliques of Roman industry)"; to Mersey Island; to Languard Fort; and we lose sight of him for a time, feasting at the house of Sir John Wentworth in Lovingland (Lothingland), near Lowestoft. Rainsborow was sent to take charge of the siege of Pontefract, much to the disgust of Chomley; to save appearances, he retired to Doncaster, to await the decision between two rival claims and to await the commands of Parliament, where he was slain by some cavaliers who had formed a plot to kidnap him. And here we will leave the events connected with the "Kentish Faire" for a season.

*Aug. 31st* The court of common council, annoyed at the reprisals of the Prince of Wales upon their shipping and alarmed at the success of Fairfax, denounced the war and demanded the estatablishment of Presbyteriansm. A few days later the Levellers demanded Parliament should be reformed upon the lines of the People, after which its supremacy should be maintained by the suppression of the two negative voices: the King and the Lords.

*Sept. 11th Parl. Hist. iii—1005.*

II. Parliament again endeavoured to make terms with the King; and, to that end, sent Lords Northumberland, Pembroke, Salisbury, Middlesex and Saye and Sele to Newport to meet *Sept. 1st* the King, who was to be allowed to go there on parole. Forty days were set apart for arriving at an arrangement which was to be based on the conditions put before him at Hampton Court.

> "The King was to take the Covenant and impose it upon his subjects: he was to abolish episcopacy and bishops, deans and chapters, and their jurisdictions, and Cathedral lands to be sold for the benefit of the commonwealth; the liturgy to be replaced by a form of public worship, conformable to the Covenant and Directory, to be agreed upon by an assembly of divines and confirmed by Parliament; pluralities and non-residence were to be prohibited; and laws were to be enforced against recusants, whose children were to be brought up as Protestants by Protestants; conventicles were to be suppressed, as well as masses; delinquents to be fined, and shore fines to be exacted. Parliament to control the Fleet for twenty years, after which fresh arrangements might be entered into; was to raise money for military purposes upon just and equitable assessments and to countersign

all commissions given by the King; to appoint officers for ten years in England and twenty years in Ireland (seeing that county had yet to be conquered), each to have a standing militia, service in which was to be voluntary except in cases of foreign invasion; the militia to have control of the Tower; the courts of wards and liveries to be abolished; the great officers of the state to be nominated in England for ten years, and in Ireland for twenty years, the war in Ireland to be carried on vigorously, and that a certain number of Royalists to be excepted from pardon."

On arriving at Newport, they found the King in the Town Hall, surrounded by his courtiers, Lords Richmond, Southampton, Hertford and Lindsey and Messrs. Kerke and Livingstone. They duly presented their conditions, which were to be severally signed as in the form of bills to be accepted or rejected, to prevent the King going to London to negotiate in person; if accepted *en bloc* "all jealousy is finished or vanished." Holles and Grimstone begged him on their knees to accept them; Vane urged him to do the same, as a foundation for a scheme of toleration; Glynne and Browne spoke learnedly upon the subject; others advised him to accept them as a stepping-stone to the throne, when he could, they said, set aside his concessions as having been obtained

under duress. Charles still trusted in his kingcraft and thought to weary them by much negotiating, hoping that before the forty days were expired he might have help from the Cavaliers. He did not object to declare that his declarations against Parliament were annulled; but did not agree that they had been forced into the struggle in self-defence, quoting the 23rd of Edward III., by which they might be adjudged traitors, which was no more than he had done to the Scots; at last, he agreed to treat on the understanding that if one article were negatived, the remainder should be considered as void. As to the question of religion he remained inflexible: he was willing to establish Presbyterianism for three years, the chapels royal being excepted; but refused to take the Covenant himself or enforce it upon others. At the same time he would not condemn prelacy, which had been handed down from the days of the Apostles and had remained in a primitive state till the last two hundred years; he was in favour of the form of religion being settled by an assembly of divines and confirmed by Parliament at the end of three years, if he were allowed to appoint twenty of the former. He would grant toleration to those who preferred the directory to the liturgy. As to church lands, his coronation oath prevented him from dealing with them, as he was bound to show more honour to the clergy than to the laity as being nearer the altar; but he would consent

to episcopal lands being leased at their old rents, for ninety-nine years, to augment the smaller benefices; after which they were to revert to the crown to be restored to the Church. He was prepared to abolish all anti-scriptural doctrines and episcopal jurisdictions; but would not consent to any ordination save at the hand of the bishops, as the Apostles themselves had bestowed divers gifts; government to the bishops and preaching to the presbyters. He was less firm on the questions of temporal government; insisting, however, upon all his followers being admitted to composition. The Commissioners conceded that they should not be treated as traitors, but should be moderately fined and debarred from the Court and Parliament for three years; with the exception of certain persons, in all one hundred and eleven, including the princes Maurice and Rupert, Bishops Wren (Ely) and Bramhall (Derry), and Lords Winchester, Worcester, Derby, Digby, Bristol, Newcastle, Culpepper, Lucas, Collington, and Arundel of Wardour, and Messrs. Hyde, Ashburnham and Vaughan; while Lords Norwich, Capel and Holland with Linger, Langherne and Owen were to be banished the kingdom, which was, in reality, a self-inflicted penalty upon most of the excepted persons, as they had already fled across the seas. The King would not hear of any exception being made to more than one of his adherents, or of any name being put down on the

score of recusancy, but agreed that they should be excluded from Parliament. In the case of the Irish rebels there was some difficulty, owing to the union of the two kingdoms being personal and not legislative. After discussion, it was agreed that recusants should be fined and seven Royalists proceeded against—Judge Jenkins, Lords Newcastle, Digby and Byron, with Grenville, Langdale and Doddington. He then engaged himself in one of those theological controversies (the love of which he had inherited from his father) with the presbyterian chaplain of the commissioners. During this, Lord Salisbury said that he thought "the King had wonderfully improved," to which a colleague said that "he was always like that, but his lordship had found it out too late."

12. The Royalists wished these negotiations to come to an end before the army could come to London; in other words, before the insurrectionary feeling in the North had been crushed. Charles, after coming to some sort of understanding with the commissioners, applied to Parliament for a pass to go to London in freedom and safety, to bring the matters to a conclusion.

To this, Parliament at first agreed; but rescinded *Sept. 15, 16* the vote on the representation that it was derogatory to their commissioners. But Charles had not given up the hope of escape, and had made enquiries of a certain Hopkins (in

whose house he resided while at Newport) as to the state of wind and tide:

> "in order to my escape, of which if I had not hope I would not have done it. For then I could have returned to my straight prison without reluctancy, but now, I confess, it would break my heart, having done that which an escape alone can justify."

And the Queen had still hopes of regaining the crown; her source of strength being Mazarin, and mercenaries to be hired from the Duke of Lorraine, by money provided from Venice, and upon the assistance of the Prince of Orange, although she could not obtain the raising of the blockade of the fleet commanded by the Prince of Wales, Prince Rupert and Lord Willoughby de Parham at Helvoetsluies.

13. When Ormonde landed in Ireland, Charles told the commissioners who thought him privy to the reopening of the war, that he had not intermeddled with Irish business since Aug. 3rd save through his committee, whom he had told that while he was under restraint, the Queen's orders were to be obeyed, and that he (Ormonde) was not to be alarmed at any concessions he might make; at the same time advising the Queen to be quiet, as he hoped that a blessed peace was being aim-

ed at, which would give the Roman Catholics in Ireland the promise for all they desired.

14. The Scots prisoners gave Parliament cause for alarm, as they were leaving the places in which they had been interned and were coming up by two's and three's every day to town, where they might be used against them. To prevent this, the horse round St. Albans and Ware were directed to patrol the roads and to give up seeming fugitives to the nearest constable, sending their names to Colonel Moore, the chairman of the committee of prisoners. Some twenty of these men were found to be staying *Sept. 19th* at Tilbury, giving themselves out to be common soldiers seeking a passage across the seas; but it was unlikely that so many should be released at once, and an order was made out for their detention; on this, they were found to be officers who had served under Montrose.

15. The Army again began to assert itself. Elated by victories in the North and in the East, they claimed for themselves the predominant position Parliament claimed for itself. The officers pointed out the danger of prolonging negotiations with the King, and the expediency of his being tried for stirring up war and inviting the Scots to invade the kingdom; the difficulty of obtaining from him any promise that would be binding on his successors, made them demand an essentially republican form of government; the

abolition of tythes and episcopacy; the recognition of liberty of conscience and the equality of all Christian sects, and the execution of justice upon the "capital and grand author of all the troubles and woes the kingdom had endured." After discussing the niggardliness of Parliament in continuing to withhold the pay of the soldiers and to delay the question of providing for the widows and orphans, the main question was reached on Nov. 10th, when Ireton startled it by the theory of the sovereignty of the people, as represented by deputies chosen by them. To keep up the present army would be a source of great expense to the country and would compel Parliament to levy heavy taxes, which would tend to its unpopularity; consequently, the weaker Parliamentary parties would make overtures to the King to gain his approval, and, on the reinstatement of the King, he would become popular as the restorer of public peace; and, it was a question as to whether he would keep his promises to the army that had opposed him, as he would be a centre of intrigues. In case of an election, the small boroughs would be strongly royalist and would return cavaliers; he concluded by demanding the trial of the King and summoning of the Prince of Wales and Duke of York to attend an enquiry, under pain of being outlawed and of being declared incapable of succeeding. Besides this, he demanded the statement that all cavaliers were liable to exe-

cution; all delinquents to be moderately fined, and all Parliament soldiers were to receive payment of arrears.

16. Many of the officers still thought that King and people might be knit together by a cord of love, and were afraid lest the Army should be looked upon as a disturber of the peace. Fairfax assembled an army council at headquarters at St. Alban's, to which he invited the officers, but not the agitators; this called forth a strongly worded remonstrance from those regiments. * After prayers and a sermon, they assembled in the Abbey church. Ireton was unable to proceed in the face of Fairfax, who desired:

> "a complete settling of the liberties and peace of the kingdom, to which end he would proceed to such things as may give most hopes of justice and righteousness to flow equally to all, without any overture tending to overthrow the government of the country" and would "commit his share of interest in the common bottom of Parliament and defend his Majesty and Parliament in that just, longed for agreement."

The question as to whether they should acquiesce in the settlement of peace by the Parliament-

* Whalley's, Fleetwood's and Barkstead's.

ary commissioners, was carried in the affirmative, there being only six negative votes; but it was agreed that the Army should offer certain conditions to Charles which, if accepted, were to be laid before Parliament with the report of the commissioners. Ireton, seeing the uselessness of these projects, leant towards the opinion of Lilburne, who was (with the approval of Cromwell) arranging a conference of the soldiers (whose representatives, the Agitators, were debarred from attending the meeting by Fairfax) and the Levellers. Lilburne had described Charles as a man "evil in his actions, and divers of his party were as bad," but saw no reason to support the supremacy of the Army; thinking that the interests of the people would be served by putting up one tyrant to counterbalance the other, and "not by imposing a military government over them."

17. *Nov. 17th* This joint committee met the officers to negotiate peace upon the basis of the "Agreement of the People," by which Parliament was to dissolve itself on or before the last day of April, 1649; the constituencies were to be reformed (not receiving wages or alms from any man), and to return three hundred members, elected by natives or denizens of England, all to be housekeepers in the district, above the age of twenty-one (except those belonging to universities); all active Royalists to be debarred from the franchise for seven years, after which they were only

to be admitted after subscribing the agreement, six months after which they would be entitled to vote; all those who had aided the King before June 14th, 1645, had joined the treasonable engagements in London in 1647, had declared for peace with Scotland in 1648, or joined the insurrection in England in the same year, or in the revolt of the fleet, to be perpetually excluded from the franchise. If any such should vote in any election, or, being elected, should molest any duly qualified elector in the exercise of his franchise, or sit or vote in the House, the same should be liable to the confiscation of one half of his estate, unless that were under the value of £50; in which case he should be liable to imprisonment without bail. Of this Parliament one hundred and fifty were to make a quorum, and they were to form a council of state within six months of their meeting. No member was to be in receipt of a salary for any office in the Army or garrison service; or to be a treasurer or receiver of government funds; and, no member being a lawyer was to practise during the Session. But this Parliament was not to be empowered to enact, amend or repeal laws, without the consent of *other persons*; to reject or abolish offices in the courts of justice, or to do anything not mentioned in the Agreement; to enforce oaths or covenants; to compel penalties upon persons for attending any place of worship, except popish chapels; or to impress soldiers or

sailors. After the dissolution of the present Parliament, no questions were to be asked about delinquency, unless under its instructions, except in connection with public money of which they were to remain accountable; and no one person to plead successfully birth, tenure, grant, charter, rank, patent, or place of residence as a bar to legal proceedings. The representatives were to have no power to intermeddle with the carrying out and execution of laws, to give judgment as to any man's person or estate (unless provided for by existing laws), except the case of breach of trust in public matters; they were not to give or take away the foundations of common liberties, rights or "safeties" or level any man's estate, destroy property or make all things equal or in common. In all cases of public danger, the council of state might order the election and meeting of Parliament, provided the Session did not last more than forty days and was ended quite a month before the beginning of the ensuing Parliament. All securities given to one Parliament shall last during succeeding ones, except in the case of moneys given to its own members, to the lords and attendants. All officers in this and any future Parliament disobeying its orders, (unless in obedience to this Agreement) shall die without mercy. Members shall be allowed to enter their protests in the journal, in order that their constituents do know how and why they voted. All future Kings were to be elected by Parliament.

18. The "Remonstrance of the Officers" provided for the sovereignty of the people; in it the absence of the negations—King and Lords—foreshadowed the "Instrument of Government"; but it omitted any mention of the council of state, which played so important a part in that latter document and in the "Heads of Proposals"; the King was not asked to give up the military forces, but to grant a constitution; the duration of Parliament was to be fixed by statute and future elections to be held on a scheme of distribution; without any widening of the franchise. On Nov. 28th Lilburne tried to induce the officers to accept the "Agreement of the People" as a bulwark against royal tyranny or military despotism; the militia being placed under the control of the council; the great officers of the kingdom being appointed by Parliament for ten years; after which, the King was to nominate one out of three names submitted to him by Parliament. Only four Englishmen were to be proceeded against, the others to compound at an easy rate; the Army was to be kept on its present footing for two months after the meeting of Parliament; but no mention was made of the subject of religion. Lilburne urged complete liberty of conscience; Ireton saw that while its acceptance would restore the King, its rejection would tend to overthrow Parliament authority; still he spoke in favour of some right of punishment being reserved to Parliament and to the

Army. Then Lilburne, seeing there was but a small chance of their agreeing, would have broken up the conference, had not Harrison, who looked for a Kingdom of Saints rather than of Law (thus differing from Ireton) pleaded further consideration of the question.

19. The Army was ready to execute the King (by martial law, if necessary) and to purge Parliament by inviting eight of its members (four Independents and four Presbyterians) to co-operate with a committee of four soldiers, four civilians and four Levellers. To this, Ireton is represented to have consented. Of this, both Houses duly notified Hammond.

The Army were aware of two facts:

1st. That Charles would take the first opportunity to escape from the Isle of Wight.

2nd. That once out of the control of the Parliament, he would throw over any idea of constitutional government. Ireton (who was confident that Charles would accept the Remonstrance to the prejudice of all other conditions), Hammond (in the Army), Desborow and Harrison wrote to Governor Hammond, impressing on him the necessity of preventing the King's escape; even to go to the length of keeping him a close prisoner in Carisbrooke Castle. This aroused the scruples of "Honest Robin", who asked the King, before the Commissioners, if he still considered himself to be on parole, as he was surrounded by guards: this

question was repeated several times, before he said that he should consider himself as such when the guards were removed. This was promised to be done. At the same time Charles wrote to Fairfax, expressing his willingness to withdraw all declarations against Parliament and to grant an act of oblivion, urging the necessity of his going to London to conclude the treaty which, he saw, would renew the antagonism between Parliament and Army and tend to his advantage, if his cause were not too far gone.

20. The political aspect of England was as much disturbed as in the times of the 'prentice lads and reformadoes, as when the Independent members of Parliament sought refuge with the Army. At the end of October there were three hundred Royalists in town, who had formed a plot to murder the leading Parliament men in their beds. Great disorder prevailed in London, especially on "public days," accompanied by incivilities and violences," such as "compelling passers by to drink healths"; and lighting of bonfires, which have given occasion for ill-affected persons to assemble and to make beginnings of insurrections. And as it was reported that the revolted fleet was about to break away from Helvoetsluys, the stay of the Commissioners was now limited to Nov. 27th, since Charles now appeared to have conceded most of the essential points. Who would not have yielded after so many years of failure and defeat? Without committing

himself further, he agreed to the trial of seven of his adherents; to the composition of the remainder at the mercy of Parliament, with the benefit of ancient laws; and the vesting of episcopal lands in the crown till some form of religion could be agreed upon by Parliament and King.

21. When Hammond grew aware of the increasing importance of the Army, his scruples of conscience revived. Cromwell wrote to him from Knottingly. It is a long *Nov. 25th* letter, some 2,000 words in length! The gist of all is contained in the following sentence: "Whether the Army be not a lawful power, called by God to oppose and fight against the King on some stated grounds; and being a power to such ends, may not oppose one Name of Authority, for those ends, as well as another Name—since it was not the outward Authority summoning them that by *its* power made the quarrel, but the quarrel was lawful in itself."

In spite of the changed condition of the conquerors and conquered, Hammond refused to make any alteration in his treatment of the King, whose custody had been entrusted to him by Parliament, to whom he was bound in honour for the safety of his charge. Ireton, in the name of the officers at Headquarters at Windsor, wrote to him that he owed obedience to his military superiors; but that letter did not reach him till after Fairfax had given him orders to report himself at Windsor.

The officers sent Colonel Ewers, a zealous republican, to the Island, who placed in his hand a warrant directing him to make the King secure till Parliament had duly considered the Remonstrance, after which it was possible that the King might be brought to trial. In case of refusal, he intimated they would send troops to enforce obedience. This letter he refused to acknowledge, but, in obedience to the order of Fairfax left the Island, appointing Major Rolfe and Captains Hawes and Boreham as his lieutenants, with instructions to resist any attempt to remove the King. Arriving at Farnham, he received a letter from Fairfax directing him to return; he refused to obey, was arrested, taken to Windsor, whence he was sent to Reading on parole as having been remiss in his duty.

22. On November 29th, a few hours after the Commissioners had left, a man in disguise told one of the royal servants that troops were about to be landed and the King carried off. Charles consulted his lords in waiting, and the lieutenant-governors. Rolfe would only say that nothing would happen to the King that night. One of the officers went, in spite of the storm, to see how things were at Carisbrooke. He found several new officers; before he could return, the King's house at Newport was surrounded by troops. When Lord Lindsey advised Charles to escape, he refused to break his parole.

23. At Carisbrooke, the three deputy governors were at a loss whom to obey—Fairfax and the Army or Hammond and the Parliament. Rolfe, who had been tried for life on a charge of attempting to kill the King, was in favour of yielding to Fairfax as master of the situation; Boreham looked to Hammond as his immediate superior; Hawes sided with Rolfe, disclaiming any attempt at violence. Meanwhile all the available horse were assembled at Newport. That night Colonel Cobbet entered the King's apartments; he told the King he was to be removed to Hurst Castle. On the following day he was taken in his carriage to Yarmouth, whence he embarked for the mainland. The governor, Eyre, a man of rough manner, was alarmed at his arrival, fearing that he might be a prisoner of the Parliament; but Ireton especially forbade any violence being used.

24. Five times had Parliament voted the King's concessions insufficient. On the recall of the Commissioners, Vane criticised their report severely. Holles thought that the result was good enough to justify further negotiations; this was agreed to by a majority of thirty-seven. The next step was to recall the King to London; this the Independents saw would call all cavaliers to town, and would involve the execution of reprisals upon themselves. The officers decided upon an impartial trial of all delinquents; regular pay; abolition of free quarter and the enactment of

salutary laws. To obtain these they were prepared to occupy the City of London; and Fairfax took up his residence at Whitehall, the Army being quartered in other vacant houses, "without offence given to anyone." The question of purging the House of all those who were in favour of continuing the treaty was already mooted.

25. Ireton, with the knowledge of Fairfax, sent two regiments (Rich's horse and Pride's infantry) to take the place of the city trained bands, which, up till now, had acted as Parliament guards. As the members presented themselves, they were recognised by Lord Grey of Groby, and forty-two (including Sir Simon d'Ewes, Prynne, Waller, Rudyard, Grimstone, Strode and Fiennes) were arrested by Pride and confined in the Queen's Court. Some, who were unmolested, protested; for doing so, they were directed to withdraw. On the 12th the Rump Parliament began its Session and thanked Cromwell for his services. Fairfax sent troops to collect the contribution due from the City; and, as it was not forthcoming, took £25,000 from the coffers of Parliament at Goldsmiths' and Haberdashers' Halls. Up to this time Cromwell had spared no pains to save the King; he had frightened him from Hampton Court; he had warned him to escape from Carisbrooke; but now he saw that nothing could alter the King's duplicity. On the 14th he sent

*Dec. 6th*

Colonel Harrison from Windsor to bring the King from Hurst Castle.

26. Charles had been treated with great civility on his way to Windsor, being allowed to travel by easy stages; although he had planned an escape by means of a swift horse in the stables of Lord D'Aubigny, the lameness of the nag lost the King at the very last. The end was fast approaching: on that very day a committee was drawing up the charges which Charles was to answer very shortly—of having deserted his Parliament; of having set up his standard and made war upon his people, and of having given commission to Irish rebels.

*Dec. 22.*

27. To this end, a special court was set up; it was to consist of 150 members; six peers, three judges, eleven baronets, ten knights, six aldermen of London, several barristers, and many prominent Independents. As Sydney refused to serve as being averse to the King's execution; St. John and Vane as they disapproved of the trial: the court was ultimately reduced to 135; out of which number only eighty took any part.

28. The bill to authorize this was sent to the Upper Chamber, where it was opposed; Lord Speaker Manchester speaking in favour of the continuance of the three estates of the realm; Northumberland doubted if King or Parliament had begun the war, and, if the former, whether raising troops was not

*Jan. 2nd 1649*

treason; Pembroke objected to judge on life or death, and Denbigh refused to discuss the question. On this rebuff, the Commons declared themselves to be the origin of all power, desiring neither Kings nor Lords to help them make laws; the number of judges was curtailed; the peers and judicial members were struck out; the trial lasted from January 26th to the 27th; and the King was executed on the 31st.

29. During the progress of the trial Sir W. Boswell delivered a speech before the States General of the United Provinces, on behalf and in the presence of the Prince of Wales, desiring to acknowledge the civilities he had received at his hand, and begging that the Dutch ambassador might intercede for the King who was in such a dangerous position after he had been admitted to a personal treaty, in which he had conceded so much to both Houses that negotiations would have been proceeded with but for the Purge. He declared that the King was so closely imprisoned that it was impossible for any one to see him; that the House of Lords had declared against the trial, for which they had been dissolved by the Commons, who declared that all power was vested in them to the extinction of King and peers; that a council of war had declared for the future government of the kingdom, without a King and Parliament; that the laws and constitution of Parliament had been over-

thrown, and that the Church was exposed to the worst heresies. Besides this, they intended to behead the King, which would be as detestable a thing to their High Mightinesses as to his Highness the Prince. He went on to say that he need not point out to their High Mightinesses how the unparalleled proceeding would affect the interest and quiet of all princes and states; that the exorbitant claim of power would affect their peace and tranquillity and that of their neighbours, and that the reformed religion would suffer much from the scandal of the action of those who professed to belong to it; but he would content himself with relating the state and distresses of the crown and kingdom of England, trusting to the esteem and regard that their High Mightinesses felt towards their allies. Charles, "Prince Royal," wrote to the Queen Regent of France, begging her to intercede for his father with her son Louis XIV., saying that he had heard that the rebellious Parliament had, after many outrages, designs to deprive him of his crown and life "by an injustice unequalled and an execrable parricide against the person of their legitimate King, thus setting an example dangerous to all other princes, and which ought to be detested by all good people"; supplicating her to use all her influence with Louis to hinder that wicked design and "to preserve the crown and life of my lord and father, which I shall receive as the result of his singular good-

*Jan. 28th*

ness and generosity, and which will render me eternally your very humble and affectionate Nephew." Also to Mazarin, expressing his indignation at the treatment of his father by "the English Army and its abettors .... which pretend to have authority to judge the King for to despoil him of his crown and dignities, and threaten his life as to them shall see good. My duty, as well as my interest, obliges me to make every effort to frustrate a thing so wicked." And he concluded by begging him to influence Louis and the Queen, which he would not fail to take as an act of affection. He had already written to Fairfax from the Hague, complaining that he had received no information as to the where abouts of the King; in fact his messenger had been unable to see him. He believed he had been withdrawn from the Island to Hurst Castle; and thence to Windsor, where he was rigorously treated. He urged him to remember and keep his oath of fidelity by reinstating the King and restoring peace to the kingdom. To the Speaker he sent a blank paper bearing his own signature, for Parliament to fill in with the conditions on which the King's life would be spared; of this no notice was taken. Henrietta Maria sent a letter to the same officer by the hand of the Spanish ambassador, desiring a pass to enable her to use her influence with the King to persuade him to grant all that be required; or at least, to have the privilege of

*Jan. 23rd*

alleviating his last moments: this was refused. The princes of Europe (perhaps dreading another war) viewed the coming tragedy with indifference; the only ambassador sent to intercede for him was one from the Netherlands, who was not admitted to an audience until the day before the one fixed for the execution; he proved to be but a "cold solicitor."

30. Those lords who remained in England (many of whom being across the seas) did not let the slight to their place in the constitution pass without a remonstrance, in which they vindicated the rights of Parliament, the prerogatives of the King and his inviolability by the fundamental laws of the realm. They claimed that all judicial functions were vested in the lords and King; the House of Commons never having claimed to be a court of justice or power to examine on oath; being only entitled to present accusations to the peers, on the hearing of which those of their number who were present had to appear standing with uncovered heads, not being able even to tender advice. Alone, they had neither power to legislate or to institute any chamber of justice. They protested against the death of the King, the disinheriting of the Prince of Wales and the wish to alter the monarchical succession, laws and legal procedure by setting up a commission of judges and officers to perpetrate that sanguinary murder; continuing the Army on its present footing, imposing new

taxes and oaths, executing the extreme penalty upon their fellow-subjects, whom they deprived of their liberty and goods, rights to property by the declaration that the House of Lords was dangerous and useless.

31. *Feb. 6th* To carry on the government, a Council of State was formed; Lords Grey of Groby and Grey of Warke, Chief Justices Rolles and St. John, Bradshaw, Cromwell, Skippon, Martin, Masham, Whitelock, Haselrigge, Popham, Ludlow and Scott, took their seats, having power to raise forces to reduce Ireland, Guernsey, Jersey and Scilly; to control the sea forces, to advance trade, to enter into diplomatic relations with foreign powers, to take oaths and bonds of security, and to execute the decrees of Parliament. Popham, Deane, and Blake were appointed commissioners of the Admiralty and of the Cinque Ports, in the place of Lord Warwick, with the special functions to suppress the title of Charles Stuart, to recapture the revolted fleet, to prevent foreign forces being landed, to guard the seas, to ensure freedom of commerce and to punish negligence wherever found. But harmony did not reign in the council; Lords Denbigh, Mulgrave, Pembroke, Salisbury and Fairfax were willing to serve Parliament, but would not act after the action of the Commons towards the Upper Chamber; Lord Grey of Warke would not recognise the power of a single chamber; Whitelock would not agree to the judicial func-

tions of the council; Harrington made exception to several matters; Lords Lisle, Skippon, Pickering, Wilson, Haselrigge, Bond, and Popham were also non-signatories. Lothian, who had protested against the severe measures dealt out to the King was about to embark at Gravesend for Holland, when he was arrested, with Sir John Cheslie and Glendowing, and sent, under an armed escort to prevent any escape or rescue, to be dealt with by the Committee of Estates of Scotland.

32. To return to the prisoners from Colchester and the North. A bill of attainder was prepared, on Oct. 1st, against Lord Capel, who answered that Fairfax had promised that his life should be spared; and quoted, in support of this, a passage in the letter from Fairfax to the two Houses. As to Hamilton, (Earl of Cambridge, in England) Parliament being short of money was prepared to liberate him on payment of £100,000. But as Sir Lewes Dives and Mr. Holder (the Prince's agent) had escaped, it was agreed that Hamilton, Holland, Laugherne, Poyer, Powell and Owen should be brought to trial; to whose names were added those of Goring and Capel on the following day. On the King being brought from Hurst Castle to Hampton Court, these prisoners were removed to the Tower, whence Capel managed to escape to Lambeth; but the reward of £100 for his apprehension brought about his betrayal by a water-

*Nov. 10th*

*Jan. 31st*

man, who, instead of this sum, received £40 and the recommendation to the Admiralty for employ-

*May 6th* ment. At first it was thought that banishment from the realm would meet this case; but the Attorney General demanded that he should be hanged, drawn and quartered.

33. A special tribunal was created to try these prisoners, consisting of members of Parliament, of the city, of the army, and of private gentlemen (sixty in all, fifteen to form a quorum).

*Feb. 9th 1649* The Earl of Cambridge (Duke of Hamilton) was the first to be tried, then Goring was brought to the bar; witnesses were brought to prove acts of violence in Kent, Essex and Colchester; the use of poisoned bullets; the cruel treatment of prisoners, who were called "Roundhead Knaves," and the destruction of houses in Colchester to the number of six hundred. He pleaded his commission from the Prince of Wales, in virtue of which he had granted others, to bring about an accommodation between King and Parliament; that his proceedings were not treasonable, as he did not fight against Parliament, but for the King; that the court was not competent to proceed against a peer of the realm; and that his life was assured by the articles of capitulation.

34. Capel obtained permission to plead in chief against the charges, insisting upon

*Feb. 21st* the terms of the capitulation, by which "he

had fair quarter assured him and all the gowns in the world had nothing to do with him;" in support of which he quoted a passage in a letter from Fairfax to the two Houses. Attorney General Steel put in the articles and called Fairfax, Barkstead, Ireton and Whalley to prove that the mercy promised related to immediate execution by the sword and did not include judicial proceedings in a civil court: the first replied that "his promise did not extend to any other but the military power; and that the prisoners were, notwithstanding, liable to trial and judgement of the civil power." He proved that the mercy promised them protected them from immediate execution, not from the sentence of a civil court; if so, any traitor could obtain quarter from a private soldier and escape further questioning. Barkstead added that he informed Capel at the time that he believed Parliament would proceed against him for treason. Capel pleaded that he had committed no fault worthy of death; that, according to the law of the land, he should be tried by his peers; that, according to an act of Henry VIII., no one should be attainted for serving the King; that he could only be tried by bill or jury; that his case was fully covered by martial law; that divers in Colchester had been allowed to compound for the part they had taken, that breaking prison was a common law offence, and that he was entitled to the privilege of clergy, and asked to see his jury. To

this, Bradshaw replied that the court was quite competent to try him, and had tried better men than he; that he and the court were of opinion that the capitulation referred to military justice only. And Cooke argued that he had waived the articles of capitulation by pleading, and that the court was fully competent to try him after his confession of murder and treason.

35. *March 6th* Goring, Capel and the others were brought up for judgment. Holland and Goring pleaded that their expeditions, if rash, were somewhat harmless. Capel still relied upon the terms of the capitulations and the ordinance that no quarter should be given to Irish prisoners; this implying that all others should be spared. Bradshaw sentenced the prisoners to be hanged and quartered. On hearing this, Capel was seen to start: in a slow speech, he wished for a better resurrection hereafter; and added, that before long there would be a war between England and Scotland, in which the English Presbyterians would take their part.

36. This sentence had to be ratified by Parliament. Cromwell himself spoke in favour of Lord Capel, saying that he was a man of courage, manly and generous, but added that he would always be a source of danger to the state, and, therefore, he should vote in favour of his death. This was carried, he was condemned to decapitation by a majority of one vote; had

he not broken from prison, his sentence would probably have been simple banishment. In the cases of Goring and Holland, the votes were equally divided. Mr. Speaker Lenthall, who is said to have received some favour from the former while a youth, gave his casting vote on his behalf; but gave it against the latter. Hamilton was condemned, and Londesborough was allowed to retire to his own estates.

37. On the same day, Lords Warwick and Rich, with the eldest son of Lord Capel, escorted the Countesses of Warwick and Holland Lady Capel and a bevy of fair and noble dames, to personally petition the House for a remission of the capital penalty; but in vain.

38. *Clarendon State Papers* The duke and the earl were executed first; the former behaved tumultuously, "very humourously, praying much and making long speeches." Lord Capel was brought from the Tower in a sedan chair, with a guard of soldiers; he behaved with Christian firmness "having a most cleare soul." Whitelock says that he died "saying he was a Protestant, according to the thirty-nine articles; that he was condemned for keeping the fifth commandment, written with God's own hand, which enjoins obedience to magistrates; and for obeying the King—the greatest and the most virtuous of princes, and his son Charles (now King) and the rest of his children, heirs to the throne."

39. *Calendar of Compositions*

Like his colleagues, Lord Capel had been compelled to submit to Parliament in the way of sequestration. Indeed, it would hardly seem possible that such vast estates should escape, being scattered over Hampshire, Bristol, Dorset, Somerset and Gloucester, besides Hertfordshire and Essex. Lady Capel petitioned that her jointure and lands settled upon her by her father, should be released from this burden; this prayer was granted. He then let his estate to his uncle William Capel to preserve the mansion-house and the woods; "so tender are we towards delinquents," no rent was paid for two quarters; it is not known what rent has been paid, "which way the rents have gone and how converted." He then went into the west country with his wife; and his children were sent to his house in Hertfordshire, of which estate one-sixth was reserved for their maintenance. Although her ladyship's lands had been released, she was disturbed by the county committee collecting the rents thereof, and begged that this might cease. We have seen that the trustees of his lordship's estate had heen directed to raise £50,000 for the Irish service; yet, as he had only a life interest, they were ordered not to cripple it, his son being declared heir in possession after his father's death. The whole of the lands in Hert-

*May 7th 1647*

*Feb. 1648*

*June 14th 1649*

*Aug. 3rd*

*Sept. 20th*

fordshire were declared free from sequestration; those in Norwich (jointure lands) being discharged in 1652. The burden was continued on the lands in the west of England until a fine of five years' rental (less £21 and plus a fine of £104) was paid on August 11th, 1653.

# BOOK VIII

## AFTERMATH

1. Some say the execution of Charles I. was a blunder; if it was one, it was a necessary one. Cromwell had been willing to save him at any cost less than self-destruction, until he found that his treachery (called by some kingcraft) was inexcusable. He was too conservative ever to be a republican; he had no sympathy with the Levellers; and only abandoned the King to his fate after he had seen that he was an insurmountable obstacle to a lasting peace. Some say that Charles I. was beheaded to enable Charles II. to reign. It is true that the death of the one opened up the succession to the other; but the latter did not return to England as a feudal monarch, but as a constitutional King, more or less, according to his pressing need for money; the death of the King and the interregnum opened the way for the accession of William III. and the Parliamentary succession to the crown. Charles I. was the last King of England by Right Divine.

2. It is not our purpose to follow Cromwell in his seeking after a Parliament

that would rule; or in his struggles with the Levellers and Quakers; we will end our book with a few facts relating to the "White Terror" that followed the Restoration of the "year of marvels" 1660.

3. On the death of Oliver Cromwell, his son Richard attempted to hold the reins of power. He summoned a Parliament, not on the lines of representing the larger towns, but on the old system which admitted representatives from the smaller boroughs; this ensured a Presbyterian majority. The army, after a rest of some seven years, seeing their enemies in power, formed a Military Council of Fleetwood, Desborough, and Lambert, which recalled the "Rump Parliament," which had been driven out by Cromwell in 1653.

4. Ashley Cooper, who took care to be always on the winning side, entered into negotiations with General Monk to march to London. On his arrival, he waited upon the Rump, received their thanks and a gratuity of £1,000 a year chargeable upon lands of inheritance. His first act was to reseat the expelled Presbyterians, on which the Independents withdrew. The new assembly abolished the oath of fidelity to a kingless and peerless government; gave Monk a further gratuity of £20,000, imprisoned Lambert, and agreed to dissolve on March 16th, 1660. Thus died, unhonoured in its fall, but conscious of having abolished the Court of High Commis-

sion and Star Chamber and the right of the King to levy taxes without the consent of Parliament, the Long Parliament.

5. Lambert managed to escape from the Tower, and with Okey, Astell and Corbet, he endeavoured to head a rising against Monk, but they were defeated and captured at Daventry, on April 23rd, by Ingoldsby.

6. The new Parliament met on the 25th. On that day the Lords met for the first time since the death of the King. There were present, Lords Northumberland, Lincoln, Suffolk, Denbigh, Say and Sele, Hunsden, Grey of Warke and Maynard; Manchester was elected Speaker of the Lords, and Sir Harbottle Grimstone of the Commons.

7. On May 1st Monk communicated to them the declaration of Charles II., dated from Breda. This document was a declaration of his right to the throne rather than an agreement with Parliament or people. In it he announced that he would return "with as little bloodshed and damage to our people as is possible;" he would grant religious freedom to such as should demand it, and pardon to those who should not be excepted by Parliament; he promised to consult Parliament as to the levying of taxes; to submit to them all questions of right and property, and to pay the army under Monk all arrears. Some of the Presbyterian members demanded that the same guaran-

tees for good government should be exacted from the son as had been embodied in treaties with the father, to prevent the recurrence of the same disputes and to prevent the Civil Wars ending in a scandal. The majority agreed that there was no time to discuss these matters, as both republicans and the Army were ready to take advantage of any delay.

8. On May 14th Parliament decided to except seven persons from pardon—by name, Harrison, Lisle, Say, Jones, Hammond and Barkstead—all of whom had been present at the late King's trial; the last four being signatories of the death warrant. To this, the Commons would have added (June 6th) the attainder of blood and goods of Cromwell, Bradshaw and Ireton; and the arrest of all the King's judges as common enemies of the state. The Lords would not listen to this, as being an infringement of their judicial powers. Among those who were finally excepted were Harrison, Carew, Peters, Clements, Jones, Whalley, Barkstead, Ludlow, Goff, Scroop, Scot, Cook (counsel to Parliament), Broughton (clerk to the court), Dendy (sergeant at mace), Astell (captain of the guard at the execution), Hacker (who was on the scaffold with an axe), and Hulet (executioner), as well as Lenthall, Vane, St. John, Ireton, Fleetwood, Deane and Corbet. Of these, the last four, as being signatories, and Astell, were to undergo the capital penalty. In addition to

this, so violent was the lust for blood, the Lords permitted the representatives of the peers who had died upon the scaffold to nominate one victim each. Lord Derby named Colonel Croston; Lord Paget (for Lord Holland, his father-in-law), Blackwell; Lord Denbigh (for the Duke of Hamilton, also his father-in-law), Milburd; and Lord Capel, Waring. This was deprecated by the Commons, who said that the King was bound to pardon all, save his father's judges, who came in in the stipulated time. They left Astell and Hacker to their fate, praying the King to pardon Vane and Lambert.

*Sutherland MSS. Hist. MSS. V. 152*

9. A High Court was instituted for their trial; among the judges were Lords Manchester and Say and Sele, Mr. Speaker Grimstone, Ashley Cooper, Lord Clarendon, Mr. Justice Hyde and Mr. Secretary Nichols.

10. Harrison pleaded obedience to Parliament, which was denied by Holles, as the "Rump" had not the authority of Parliament; Scot pleaded privileges of utterances made in Parliament, and that the "Rump" Parliament could not be questioned by the court; Cook pleaded that drawing up an indictment and writing dictated words could not be construed into treason—he urged his imprisonment (though without irons) and claimed the benefit of the indemnity; Hugh Peters pleaded guilty; Astell pleaded obedience to Parliament as the *de facto* government, and military

obedience to his chiefs, among whom was Fairfax; Hulet pleaded guilty; Marler pleaded error in his name in the warrant, supremacy of Parliament and the indemnity for serving the King *de facto* (if not *de jure*) under the statute of Henry VII. On being called upon to show reason why judgment should not be pronounced, Martin claimed benefit of proclamation; and Astell said that his case stood alone, as he had acted under authority of Parliament by a warrant; this, he could not produce as his wife had given it up to an officer of the court, in order to try to save her husband. * Then the barbarous sentence for treason was passed—that

*1661* of being drawn, hanged, disembowelled and quartered. Harrison (Oct. 13th), Carew (15th), Cook and Peters (16th) suffered at Charing Cross, "within sight of the place where they put to death their natural prince and in the presence of his son, whom they also sought to kill." On the 17th Clements, Scot, Jones and Scroop suffered at the same place; the inhabitants found this to be very unpleasant and petitioned that the scaffold might be erected elsewhere. On the 19th Hacker and Astell were hanged at Tyburn.

II. The deepest blot upon the worthies of the Restoration was the insult cast upon the dead bodies of Cromwell, Ireton and Bradshaw: we will quote from the diary left by Evelyn:

* Memoirs of Colonel Hutchinson.

> "This day (Oh, the stupendous and inscrutable judgments of God!) were the carcases of the arch-rebels, Cromwell, Bradshaw (the judge who condemned his Majestie), and Ireton, sonn-in-law to the Usurper, dragg'd out of their superb tombs in Westminster among the kings, to Tyburne and hang'd on the gallows there from 9 in the morning till 6 at night, and then buried under that fatal and ignominious monument under a deep pitte; thousands of people, who had seen them in all their pride being spectators: feare God and honour the King, but meddle not with them who are given to change."

Not content with this barbarous vandalism (no wonder Charles was termed "religious King"; if not, who would have judged it by his actions?), the authorities also dug up the bodies of Dorislaus, Deane, Prynne, Stroud, Mrs. Bradshaw, Mrs. Desborough, Anne Fleetwood and Mrs. Elizabeth Cromwell, all of which were buried in a pit adjoining Westminster Abbey. In 1869 the dean of that church had the ground opened at the spot indicated, but found no trace of re-interment,—simply a mass of bones, as though they had been shot out of a cart into a common pit!

12. We have seen that Lady Capel had been treated by Parliament with a considerable degree of leniency. Her son had com-

pounded for his estates in a sum of £4,706.11.7,* was created Earl of Essex in April 1661, and had married Lady Elizabeth Percy, daughter of Lord Northumberland. The Countess took a full share in the "White Terror." The executions of Henry Marten, Owen Roe and Tichbourn were fixed for November 3rd; but, the Lieutenant of the Tower and a free Vintner persuaded the King to grant a respite for Tichbourn, who had saved the citizen's life from the gallows. The Countess, the lady of Dr. Hewitt and the widow of Love, clamoured for his death; even the queen-mother urged her son not to spare one of her husband's judges. In the end Tichbourn escaped. So low did the Royalists play, that they even descended to hang the "fellow that made iron rings and pulleys for the scaffold to hold down the King should he struggle." Worthy vengeance of those who violated tombs of the dead and sought to make a spectacle of those before whom they trembled in life!

*Sutherland MSS. Hist. MSS. V. 169*

13. The cavaliers, smarting under the loss of their estates, passed several acts of resumption, among which was one releasing the lands of the Marquis of Worcester from the payments to Cromwell.

14. Another dark stain on the "Pensionary" Parliament was the execution of Sir Harry Vane on June 1st, 1662. Clarendon is said to

* Collin's Peerage.

have been the cause of his exception from pardon. The attorney-general was instructed to arraign him on a charge of treason, in spite of a distinct promise of Charles at the instance of the Commons that his life should be spared. His alleged offences would have condemned many who clamoured the loudest for the Restoration. He maintained the act of Henry VII., stating that a king with a defective title (Charles II.) was equivalent to a government without a king; that Parliament still existed after the king's death; and there could be no treason against an absent king. He was beheaded, a victim to his brilliant talents. Lambert, who was tried with him, was punished by exile in Guernsey, on July 14th, 1662. Barkstead, Okey and Corbet sought refuge in Holland, and the first two had engaged themselves in business in Germany. Having necessity to return to Holland, they were kidnapped, put on board an English ship, tried before the court of King's Bench, and executed at Tyburn on October 18th, 1661, in spite of having sought protection from Sir George Downing (the English ambassador) and the States General.

15. We have but one more incident to note: After the fatal evening at Colchester the brave knights, Lucas and Lisle, were buried in the Church of St. Giles, and at the Restoration a slab was placed over their remains, bearing the inscription:

> "Under this marble lye the bodies of the two most valiant Captains, Sir Charles Lucas and Sir George Lisle, who, for their eminent loyalty to their Sovereign, were on the 28th day of August, 1648, by command of Sir Thomas Fairfax, General of the Parliament Army, in cold blood barbarously murdered."

The estates of the second Duke of Buckingham of the Villiers family, whom we left as a fugitive seeking safety in flight, were forfeited by delinquency and granted to Cromwell and Fairfax; the former taking New Hall and the latter York House, on the site of which stands Charing Cross station. In 1657 he was allowed to return to England, and lived in honourable captivity at the latter, whence he married the only daughter of his host. Becoming acquainted with this inscription, he thought that it might reflect upon the discredit of his father-in-law (or possibly upon the credit of a Villiers) and begged Charles to have it erased. Charles is said to have consulted Sir John Lucas (Lord Lucas), who consented to have the following words substituted for those objected to:

> "Sir Charles Lucas and Sir George Lisle were barbarously murdered for their loyalty to King Charles I., and his son, Charles II., ordered this memorial of their loyalty to be erected."

The King is said to have accepted the rebuke and to have caused the letters to be cut more deeply. It may be true, or it may not; certainly the letters are cut more deeply than is usual on tombstones.

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